



*What Nobler Prospect can with Eyes be Seen?
Than such a Powerfull Fleet, and such a Queen?
Each Others Rights they mutually Maintain
She makes them Conquer! and They make Her Reign!*

288 61

THE
Glory of Her Sacred Majesty
Queen ANNE,
IN THE
ROYAL NAVY,
AND

Her Absolute Sovereignty as
EMPRESS of the SEA,
Asserted and Vindicated.

ALSO A *Handwritten*
Treatise of Navigation
AND
COMMERCE:

With some Remarks on the *Royal Hospital at Greenwich* ;
And Improving the Woollen Manufactory.

LONDON: Printed for the Authour. 1703.

Glory of Her Sacred Majesty

GEORGE A. M. V.

ROYAL NAVY

Her Majesty's

EMPERESS OF THE SEA

A Fleet of Vindicators



FRANCIS & JAMES

COMMERCIAL

And Importers of the

LONDON: Printed for the

T O T H E

Queens most Excellent Majesty.

Hail Sacred Queen! in whose Auspicious Reign,
We Triumph o're the *Land and rule the Main,
Under whose Guidance, Albion rightly steers,
And lost in Joy, forget all former Fears.
As at the Helm she views Her faithful Friends,
No longer laid aside for Faithless Ends.

Accept the Present which your Subject brings,
Of Albion's Good to Albion's Queen he sings,

* Under the Conduct of the Renowned Hero the Duke of Marlborough, by whose Magnanimous Prowess, Venloe, Stevenswaert, Ruremond, and Liege, were taken from the French, Anno 1702.

*It's yours of Right, protect it with your Name,
And none dares Censure, what no Tongue dares blame.
What if within, no Court Expressions shine?
The Work may stand excus'd for the Design,
For Truth beyond a Stile in ev'ry Line.*

*And oh! that Majesty would cast a Smile,
On what so near Concerns Her favourite Isle!
Oh! that she'd deign within these Leaves to look,
A Glance would almost consecrate the Book!
I must of Course in my Attempt succeed,
Happy since she could condescend to Read.*

*But it would be a Crime to doubt of Grace
From one directly sprung from STUART's Race,
Boundless in acts of Mercy by Descent,
That well intending Love's a Just Intent,
That*

*That cannot frown at a Proposal made
For Her own Glory, and Her Subjects Aid.*

*Permit me then, bright Sovereign of our Hearts,
To speak what Reason, and what Truth imparts,
Humbly to lay beneath your Royal Feet,
Schemes that will make both Queen and People great,
And raise the Glories of a Glorious Fleet.*

*Much have you done, and great is your Expence
In Injur'd Europe's Cause and Just Defence,
As from your own Revenues are apply'd
Thousands on Thousands for the Realms you Guide ;
And much should we, if Gratitude could Reign
Amidst a Land unthankful, false, and vain,
In Her support perform, who lives for ours,
And shew our Wills are equal to our Powers.*

And

*And for my self, that now this Offring make,
Dread Queen Receive it for the Subjects sake.
I dare not think, that I can merit Praise,
But I have try'd to find out Means and Ways,
In search of which my Gratitude's made known,
And Willingness to ease the Land and Throne,
Which shews, how ill soe're I've plaid my Part,
I wanted Strength, but have not wanted Heart,*

Who am

May it please your most Excellent Majesty,

Your Majesty's most Faithful,

Most Obedient and most Loyal

SUBJECT.

JOSEPH GANDER.

TO

TO HIS
Royal Highness
THE
PRINCE

TO You Great Prince, the Muse must next apply,
Joy of Her Soul, and Pleasure of Her Eye,
Peerless in all Capacities of Life,
The Best of Husbands to the Tender'st Wife
Our Hopes at Sea, and our Defence at Land,
Secur'd in Both since You in Both Command.
Britain's True Friend, tho' not from Britain sprung,
The Soldier's Wishes, and the Seaman's Song,
The Courtier's Glory, and the Country's Pride,
At once our Safety, and at once our Guide.

Vouchsafe, to take what bears your Consort's Name.
And next to Hers applauds your rising Fame,
Of Things it Treats for Britain's Good design'd,
And Britain's Good employs your restless Mind;
Thought.

Epistle Dedicatory.

Thoughtful by Day and Provident by Night.

To assert Her Title, and secure Her Right.

Let other Authors other Themes pursue,
I'll sing her Claim, and leave that Claim with you,
Without a Crown but not without Deserts,
That give you more than Empire in our Hearts.
Nor can this work of mine neglected fail,
Or British Navies unsuccessful Sail,
If on the first a pleasing Smile you cast,
As your Conquering Influence rules the last.
None will refuse the Gifts your Hands receive,
But all of Course Implicitly believe,
As for your sake all Doubts will be remov'd,
And all will take what Royalty's approv'd.
As Loyal Hearts will stand by the Design,
And the Queens Name and yours will shelter mine,

Who am

May it please your Royal Highness,

Your Royal Highness's most Humble,

Most Dutiful, and most Devoted Servant,

Joseph Gander.

TO THE
LORDS and COMMONS
Assembled in
PARLIAMENT.

My Lords and Gentlemen,

HAVING done my self the Honour of Prefix-
ing the Queen's and Prince his Name to
the following Sheets, I cannot persuade my self
that you will take it amiss, if I also make use of
yours, in order to their farther Recommendation.
Things of Universal Concern, ought to be Univer-
sally Address'd, and to whom could I more properly
apply for the Nations Advantage, than the Three
Estates that Compose it?

b

Queen,

To the LORDS

Queen, Lords, and Commons are all equally Concern'd in it, and I rest Assur'd of a Favourable Reception from 'em, since I advance no Position but what is consonant to Reason, and highly tends to our Present and Future Happiness. You have given such Illustrious Instances of your Affection to your Country in the last Session, that there is no room to doubt but you will pursue it in your next, and Complete the Glory of a Kingdom whose Dominions is from East to West, and whose Prerogative Extends and Winds it self with the Sea almost wheresoever it Floweth.

Our Ships are our Walls, and our Naval Forces are the Bulwarks that Defend us, and as We never had a greater Strength at Sea, than under Her Present Majesty's Auspicious Reign, so it is of the Greatest Importance that We secure these Blessings to Posterity, and leave 'em those Privileges with Interest which We deriv'd from our Ancestors.

In Order to this, we have nothing to do but to make use of the Advantages which the Convenience of our Situation has put into our Hands, and in Earnest, fall to work towards the Accom-

And COMMONS, &c.

Accomplishment of a Design that will make us Formidable abroad and Courted at Home.

I need not Insist upon the Advantages that will Accrue from an English Fishery, it is its own Advocate, and is of so much Use to the Publick, that it pleads for it self. No Person in his right Senses will deny that it is an Uncontested Nursery for Seamen, and how far the Honour and Interest of this Nation depends on a Timely Provision for a well appointed and Disciplin'd Fleet, is with all Submission, left to your Honours Determination.

But this Fishery of ours must be made National, instead of Royal, or in all Probability, We shall be the same Idle People as before, and let others run away with the Profits we alone have a Right and Title to. Not that I would take away from the Prerogatives of the Crown, or Insinuate to the World any thing that should Derogate from the Grandeur of the Monarchs of England, but having found by Experience, that notwithstanding an Act of Parliament has been made for the Encouragement, and establishment of this Royal Fishery, and a Company settled, and Charter given, it falls short

To the LORDS

of the Design of it, and is far from answering the End which the Law was made for; I would make it my Endeavour to bring Matters to bear in another Method, and Invite the good People of England to so Laudable an Undertaking from the more Pleasing Ideas of their own Gain, than that of others.

Men will be apt to do that for their own Advantage which they will scruple to attempt for that of another, and the Way for a whole Nation to joyn in it, is to Propose Means that every Individual Member of it, that subscribes to it, shall equally share in the Profits that shall arise from it.

To Confirm what has been said, be pleas'd, to look no farther than Sir Carbery Price his Mines, which, when they were Disputed to be Royal, lay Fallow and Neglected; but the Claim being clear'd up in Favour of the Subject, now gives Employment to several Thousands, and brings in a Revenue of exceeding Consequence to the Adventurers.

But to Dissipate any Objections that may be rais'd against a Treatise of this Nature at this Juncture,
when

And COMMONS, &c.

when the Dutch and We are in a strict Alliance with one another, and equally Concern'd in Defending the Liberties of Europe ; I must beg Leave to Affirm, it does not in the least squint towards raising any Mis-Understanding between us, but is Entirely Written to raise up our Decay'd Industry, and Excite our Spirits to the Practice of it, from the Consideration of what those Frugal Neighbours of ours Gain by it.

Let but this Proposal take Effect once, We shall have no Occasion for Acts of Parliament to set the Poor at work, and Providing for the Necessitous. Our Streets will be Clear'd of Sturdy Vagrants and Beggars, and every one will be in a Capacity of getting his own Living, and Contributing towards the Support of those whom Age or other Infirmities hinder from Supporting Themselves.

Another Means for Encouraging Sea-Faring-Men, and making them Chearful and Ready to Enter into Her Majesty's Service, will be an Addition to the Settlement upon Greenwich-Hospital, and as it is Royal in its Foundation, to make it so in its Endowment. To Provide for the Sick and Wounded, is to Push 'em forward to Venture
their

To the LORDS

their Lives for the Country, and the Fear Men are apt to Conceive for their Wives and Children after their Decease, will vanish of Course, when they shall see Settlements made for 'em in case of Disaster.

In order to this, I have a Proposal now by me, which has cost me much Trouble and Thought, and am Ready to lay it before your Honours, Provided I may have Encouragement that is fitting for doing the Nation so Great a Piece of Service as Raising Fifty Thousand Pounds a Year for ever, to be Sett'd upon the said Royal Hospital, without being Burthensome to the Subject, or Affecting any Person whatsoever in his Goods or Estate.

As for the Work that Petitions for your Acceptance, if it is not well Written, it is well Meant; and tho' it comes Naked into the World without an Embellishment of Tropes and Figures, and the Allurements that are generally laid as Baits to Catch the Reader by; it appears like Truth, and that is Recommendation enough of it Self, without any other Ornament.

I intend nothing but the Advantage of my Native Country by it, and if your Honours, who are

And COMMONS, &c.

to be Judges in this Affair shall give it a Favourable Interpretation, I shall make it my Endeavour to Improve upon it, and be Ready upon all Occasions to shew my Self,

My Lords and Gentlemen,

Your's and the Nation's

Most Humble, Most Faithful,

And most Obedient Servant,

JOSEPH GANDER.

A
Congratulatory P O E M,
Humbly Address'd to
His Royal Highness
PRINCE GEORGE
HEREDITARY OF
DENMARK,
Lord High Admiral
OF
ENGLAND, &c.

On the Glorious Success of Her Majesty's Arms at VIGO.

While every Pen and every Tongue employ
Their forward Zeal to speak their forward Joy,
And by their quick Production, early shew
How much they Pay, tho' not how much they Owe;
D Per-

A Congratulatory POEM.

Permit me, Sir, to Act a Subject's Part,
Who dutiously Possess a Subject's Heart,
And still to Merit just, would still retain
A Grateful Sense of ANNA's Grateful Reign.

Not that a Muse of undistinguish'd Fame,
Unhallow'd should attempt a Royal Name,
Or single out her self, to speak her Sense
Of such a Glorious Queen, and such a Prince;
But every Muse should furnish out her Lays,
And all should Sing, tho' none can duly Praise.

Oh, 'twas a Day long since mark'd out by Fate,
And Destin'd for the Good of Britain's State,
Kept back on purpose by Propitious Pow'rs,
From mixing with past Times, precedent Hours;
Till Providence had all our Wrongs in view,
Saw our Deliverers rise in Her and You,
And bid the Minutes shew themselves, and Smile
On her still lov'd, though still unthankful Isle;
As on the Stuart's Throne a Stuart Sate,
And Royalty Possess'd a Royal State;
Then had Your Brave * Vicegerent spread his Sails,
And Ormond Sigh'd, and turn'd his Back on Cales,
By Numbers Disappointed, not o'er come,
Steering a Melancholy Voyage Home.
Not that he fail'd neglectful of his Trust,
But true to Valour, and to Conduct just,
Had done what Strength, what Wisdom could Ber-
[form,
In Consultation Cool, in Action Warm;
But deepest Grief sate lab'ring in his Mind,
To think an Act so close and well Design'd,

* Sir
George
Roeb.

That

A Congratulatory P O E M.

That Fortune, of Necessity had Crown'd,
To render his, and *Britains* Fame Renown'd;
Had but her Sons, whom *Britain* should disdain,
Prefer'd a Parent's Honour to their Gain,
Should Unsuccessful and Abortive prove,
And Cloud his Shining Worth and Filial Love.

Rook by the same Disorder'd Passions sway'd,
Summon'd in Vain his Patience to his Aid,
His Patience could not brook his Countries Cause Be-
[tray'd.]

Portmore, himself without Offences dwelt
On B——'s Crimes, and others Guilt,
Spotless his Breast, and Innocent his Soul,
Abhorrent of a Deed Unjust or Foul;
And every Chief by Disappointments Cross'd,
Curs'd Plundering, that had so much Plunder lost:
When lo the Gladsome Message reach'd their Ears,
And check'd their Sorrows, and expell'd their Fears.
Yonder, said *Hardy* Rides an Hostile Fleet,
And fled from Conquest, you may Conquest meet,
It's Ballast Silver, and its Lading Gold,
Yours, if you dare but be Resolv'd and Bold;
Sculking behind its Castles, see it lies,
And all the Wealth of *India* Courts your Eyes!

Welcome this happy Hour, Brave *Ormond* Cry'd,
Heaven has at length Espous'd the Justest Side;
Here end my Sorrows for Misfortunes past,
This Day shall Victory bring, or be my last.
Agreed, said *Rook*, my Noble Friend, agreed,
Or I will Die, or *Ormond* shall Succeed.
'Twas well Perform'd, as it was bravely said,
And on the Ships were by their *Admiral* led;

A Congratulatory P O E M.

Each Soldier to his Post and Sailor ran,
And Joy Reign'd in the Looks of every Man.
The Decks all clear'd, and Bloody Flags Display'd,
Vigonia's Bay was by the Navy made,
Vigonia's Bay, in which all *India* laid.
Fenc'd with strong Booms, and Barr'd across with Chains,
France and *Spain* seem to Laugh at Hostile Pains :
But what are Booms, and Bars, and Forts, to Souls.
No *Danger* Frightens, and no *Dread* Controuls ?
Fresh Gales of Winds Propitious drive 'em on,
And the Work's scarce begun, before its done ;
As *Albion's* Genius with Your Influence joyns,
And on a Navy which You Govern, Shines ;
As Fortune takes Your Part at Sea and Land,
Just to the Fleets and Armies You Command.
In Vain, the Cannon from the City Roar,
Rook Scorns the Guns of Cities Mean and Poor,
A Nobler Quarry does his Anger call,
Than Hunger well Entrench'd behind a Wall.
So fares a Lyon near some Fatten'd Prey,
Meeting some Meagre Carrion in his way,
With due Contempt he Treats the Starveling Beast,
And bounds, and hurries forward to his Feast.
When Valiant *Hopson* reach'd the dreadful Boom,
Resolv'd to purchase Honour or a Tomb ;
Rugged it swom, and horrid to the Sight,
Able it self to bear the Burthen of the Fight ;
Without, huge Massy Spikes erected rose,
Within, Cemented Masts withstood their Foes,
Floating aloft, and of prodigious Size,
But what can frighten *Englisb* Hearts or Eyes ?
Forward he Rush'd, Undaunted from afar,
And on his Ship alone sustain'd the War,

His

A Congratulatory P O E M.

His Ship alone the mighty Fabrick broke,
And forc'd its way through Blood, and Fire, and Smoke.
Nor Batteries from the Land or Sea prevail'd,
Onwards it press'd and to fresh *Dangers* Sail'd,
Though on its side *Vesuvian* Fires it bore,
The more Oppress'd, the *Hero* Dar'd the more,
Returning back their Compliment of Flames,
And burning Mighty Ships with Mighty Names.
As when contending Winds an Earth-Quake form,
And in a Mountains Bosom Rage and Storm,
Loudly they Roar, and Cleave the Tottering Rock,
And *Heaven* and *Earth* seem falling with the Shock;
Just such a Noise was in that Instant heard,
When through the Boom the Glorious *Hopson* Steer'd.
Nor should the silent Muse Neglect a * Name,
Dear to the Queen and You, as Dear to Fame,
On Land he Reign'd Triumphant in the Fight,
And Conqu'ring, ought to have a Conqu'rou's Right.
But it is not in Verse to Sing a Chief,
Out-runs our Wishes, and exceeds Belief,
Nature, and *Art*, and *Strength* oppos'd his Course,
But *Nature*, *Art*, and *Strength* submitted to his Force,
Handfuls he brought, whole Armies to Subdue,
But Handfuls Conquer'd, since he Fought for you,
And from their Hills the Dastard *Spaniards* saw
Their Houses Plunder'd, and their Troops withdraw,
Their Forts *Demolish'd*, and their Treasures *Burn*,
And seeing did no more than Sigh and Mourn.
Nor durst, while a Superior Genius Reign'd,
And ANNA's Power with ANNA's Fleets maintain'd,
Though all things Valuable lay at Stake,
And they should something do for *France* his Sake,
Who a long Course had journey'd through the Main,
To bring their *Wealth* from *Mexico* in vain.

* Ormond.

And

A Congratulatory P O E M.

'And now Great Prince, the Muses Offering wake,
Not for her Worth, but for the Subject's sake;
Of You she Sings, while others she does Praise,
Since 'tis from You the Chiefs their Conquests raise,
And Your Inspiring Genius on 'em wrought,
Or they'd ne'er won the Prize, for which they Fought.
If the first Year, we could such Wonders do,
What may we not expect the next from You,
Shake but once more the Fasces of the Main,
And they'll not only *Cales* Reduce, but *Spain*.

THE

THE CONTENTS.

PART I.

THE *Absolute Necessity of a Powerful Navy is Insisted upon and Demonstrated. From Page the 1st, to the 7th.*

England's Sovereignty of the British Seas Vindicated and Asserted. p. 7.

A Proclamation by King James I. Prohibiting Aliens to Fish upon any of the Coasts of England without Licence. p. 13.

Secretary Cok's Letter to Sir William Boswell, Resident at the Hague, touching the Dutch's Fishing upon the English Coasts, &c. p. 16, 17, &c.

The English Right to the Flag in the British Seas, Asserted, &c. p. 24, 25, &c.

The Naval Military Part, Relating to the Orders and Discipline of a Navy, &c. p. 43, &c. to p. 68.

Proposals for Breeding and Encreasing Sea-faring Men, Mariners and Pilots. p. 69.

Concerning the Encrease of Shipping in Holland. p. 75.

Of their Encrease of Mariners. p. 76.

Of their Encrease of Trade at Home and Abroad. p. 77.

In

The Contents.

<i>In their Towns and Fortifications.</i>	p. 79.
<i>Of the Encrease of their Power Abroad.</i>	p. 80.
<i>Of the Encrease of their Publick Revenue and Private Wealth.</i>	p. 81.
<i>The Encrease of Provisions and Stores of things necessary for the Preservation of Mankind, and Munitions of War.</i>	p. 84.
<i>Dr. Worstley's Assertion to King Charles I. concerning the Fishing Trade.</i>	p. 94.
<i>A National Fishery of great and certain Advantage, and that the Fishery lies fairer for England than Holland.</i>	p. 107.
<i>Proposals and Methods for the better Encouragement of Sea-faring Men and Mariners, with an Abstract of a Commission, &c.</i>	p. 117.
<i>Some Remarks on the Royal Hospital at Greenwich.</i>	p. 122.
<i>Some Mistakes Hinted at, upon the pretended Care of the Poor by erecting Work Houses.</i>	p. 132.
<i>Proposals for Regaining the Woollen Trade.</i>	p. 133.
<i>Sir Walter Raleigh's Proposals to King James I.</i>	p. 134.

T H E Palladium O F E N G L A N D.

THE Glory of *England*, in Her Majesties Royal Navy for Beauty and Strength, is the Admiration (so well as Terror) of the whole World.

And 'tis a universal Maxim, That the Forces of Potentates by Sea, *Sont des Marques de Grandeur d'Etat*, says a French Author; Whosoever Commands the Sea, Commands the Trade of the World; He that Commands the Trade of the World, Commands the Wealth of the World, and consequently the World it self.

Again, as he that is Master of the Field, is said to be Master of every Town, when it shall please him, so he that is Master of the Sea, may, in some sort, be said to be Master of every Country; at least such as are bordering on the Sea: For he is at liberty to begin and end War, where, when, and on what Terms he pleaseth, and extend his Conquests even to the *Antipodes*.

England being Situated in the very Jaws of *Neptune* (by her Commodious Harbours, Rivers, Bays, Natural and Modern Fortification;) stands or lies fairest to be Lords of the Sea, of any People in the World.

And she is the best Accommodated with Sea-Ports, of any Place in *Christendom*, if not the whole World.

This Nation being an Island comparatively, were it not for that *Isthmus* (or Neck of Land) in the *North*, that joyns it to *Scotland*, it must be universally allowed, that her floating Castles

must defend her from all Foreign Invasions, or Incurfions, and Protect, and Maintain her Trade and Commerce, both Extern and Intern.

And if ever the Naval Power of *England* be overcome by the *French*, (which God divert) according to all Human Probability it must prove a Fatal Overthrow, so far as they can reach, with Fire and Sword, &c. being Spurr'd on by Ambition and Avarice, Revenge and Interest.

We having for so many Generations, last past, Lorded it over the Seas, insomuch that the very Name of the *English* struck Terror and Consternation in all those that durst oppose us.

And it is most certain, that Her Majesty's Royal Navy is the *Primum Mobile* of the Nation, and all her Territories, without which, 'tis impossible to preserve the former Glory of our Ancestors, or secure the Trade and Commerce, and Sovereignty of the Seas.

And, 'tis not to be doubted but Our Gracious Queen, and Sage Senators, will take Care that the Grandeur of this Nation shall not be Ecclipsed by the growing Greatness of our Neighbours, who have, and still do encroach upon the Sovereignty of the *British* Seas, which is the only Diadem in the Imperial Crown of *England*.

And by reason of our great and potent Naval Force (which are the Portcullis's and Guard of the Realm) *England* hath gain'd by Conquest, a Sovereign Power and Command over the Seas, as more at large shall be made appear in due time.

'Tis Trade and Commerce that is the true Philosophers Stone, that enricheth all Kingdoms and Dominions, and the miraculous Benefits and Advantages that do continually accrue thereby, are unaccountable.

The Prophet *David*, in his nineteenth Psalm, says, *The Heavens declare the Glory of God, and the Firmament sheweth his Handy-Work*, &c. So likewise may it be said of the Mercies of the Great *Jehovah* here upon Earth, through his admirable Goodness, and great Wisdom, hath not endowed other Living Creatures with that Sovereign Perfection of Wisdom (but secured and provided for them by Natural Defence, from Assault, Peril, and other Necessities,) But to Man, he made him Naked, and Frail, because of furnishing him with Wisdom, Understanding, Memory, and Sence to govern his Actions; endowing him with that Religious, and Pious Affection of desiring Society, whereby one is inclin'd to defend, love, cherish, and afford Mutual Aid and Assistance, one to each other.

Nor

Nor hath he, in no less wonderful manner, (infinitely transcending all Humane Wisdom, and Understanding) Created the material World to be subservient to his Being, and well-Being; yet, without Humane Understanding and Reason, did he not build a Ship, raise a Fort, make Bread or Cloth; but these came to pass only by Humane Arts, and Industry, in which, by the Revolutions of Cœlestial Bodies, Times and Seasons, Materials and other Necessaries are brought forth; by the alteration of which, Men in their proper Seasons reap the fruits of their Labour; so that there is no Society, * Nation, Country, or Kingdom, but stands in need of another: Hence it is, That Men knowing each others Wants, are invited to Traffick and Commerce in the different Parts and Immensities of this vast World, to supply each others Necessities, and adorn the Conveniences of Humane Life.

And, as God so ordered this wonderful dependance of his Creatures on each other, so hath he by a Law, immutably provided a Rule for Men in all their Actions; obliging each other to the Performance of that which is right, not only to Justice, (a) but likewise to other Moral Vertues, the which is no more but the Dictate of right Reason, founded in the Soul of Man; shewing the necessity to be in some Act, by convenience, and dis-convenience in the Rational Nature in Man, and consequently, that it is either forbidden or commanded by the Author of Nature, who is the Eternal Creator of all things.

And as God has Imprinted this Universal Law in all Men, so hath he given Men Power, (Society being admitted) to Establish other Laws, which proceed from the Will, the which is drawn from the Civil Power, that is, from him, her, or them, that rule the Common-Wealth, or Society of Freemen united, for their common Benefit, (which is called the Laws of Nations) and which by the Will of all, or many Nations hath received force to oblige, and is (b) proved by a continued use and Testimony of Authentick Memorials of Learned or Skilful Men.

Now, by the Laws of Nature, every Man is bound to profit another in what he can; (c) nor is the same only Lawful, but Commendable; so true was that Saying, *Nothing is more serviceable to Man than Man*: (d) But if Man shall neglect

* Lactantius, lib. 9. (a) Seneca 4. de Beneficiis cap. 18. (b) leg. at Vim D. de Just. & Jur. N. 7. & 8. (c) Vasquez 2. Controv. 54. 4 (d) Hieronimus 3. part. tit. 22. scil. 5.

this immutable Law in the aiding and assisting his Fellow-Citizen, and inquire, and dispute, why God hath laid this Necessity upon him; and when opportunity gives leave to take the Benefit of Wind or Tide, (in order to his furnishing himself or Neighbour with those things that adorn Humane Life) to dispute the causes of their Flux and Reflux, and how they vary and change; he not only offends the Laws of Nature, but assumes a Power of destroying Society, and consequently becomes (at the least) a willful Transgressor of the Laws of Nations.

And though the Eternal Power hath so Establish'd this Necessity in Mankind; that every Man should stand in need of another Man. Yet so great a Providence is over Industrious Men (not disabled by Nature or Accident, Sickneſs, Impotency, and the like) but by his Industry and Pains, may Earn more than would supply his Necessities, and so much as any Man gets by being truly Industrious, above what supplies his Necessities, is so much beneficial to himself and Family; as also an enriching to that Kingdom or State where he resides: from whence it is, that all Mankind (present or to come) are either Traders by themselves, or others: And the Ends design'd by Trade and Commerce, are Strength, Wealth, and Employments for all sorts of People (where the same doth most flourish) the End (e) tending to the Advancement, Opulency, and Greatness of such a Kingdom or State.

Constantinople (the Throne of Christendom) (f) having been Sack'd by *Mahomet* the Second, became a place of Desolation as well as Horror; yet he by granting a free Trade, and Religion, soon after Re-peopled that great (but unhappy) Spot.

Nor did *Silemus* tread amiss, in following the steps of his Victorious Predecessor, when having the like Success on *Tauris*, and *Grand Cairo*, he Translated the *Persian*, and *Egyptian* Artificers, and Traders to that Re-peopled City, following the Example of the *Roman* Vertues.

Nor did our Victorious *Edward* the Third deem it an Act unbecoming his great Wisdom, when he brought in the *Walloons*, whose Industry soon Establish'd the Woollen Manufacture; he vouchsafing to give no less a Security (for the enjoying (g) their

() *Coke* 2. last. fol. 2. (f) *Anno* 1453, *Vide* *Knewies's List. of that Monarchy.*
Ch. Mirror. cap. 3. Sect. 2. 11 Ed. 3. cap. 3.

their granted Immunities and Priviledges) than his own Royal Person.

Nor did that Politick Princess (b) shut her Ears from Embracing the Offer of those distressed *Burgundians* (after the Example of her Great and Royal Predecessor, who sought Refuge in her Dominions from the rigid Severity of long Bearded *Alva* (i) (then Governour, or Vice-Roy of the *Spanish* Netherlands) who planting themselves, by her appointment, at *Norwich*, *Colchester*, *Canterbury*, and other Towns, have of those places (then only Habitations for Beggars) raised them now in Competition with (if not excelling) all, or most of the Cities in *England*.

Nor need we run into the History of Earlier Times to give an account of the many Kingdoms and States that have risen by Industry and Commerce: 'Tis enough if we cast our Eyes on our Neighbour, the *Hollander*, a Place, by relation of *Ortelius*, not much bigger than *Torkshire*, and such a Spot, as if God had reserved it as a Place only to dig Turff out of, for the accommodating those Countries wherein he hoards up the Miseries of Winter; it affording naturally, not any one Commodity of use; yet by Commerce, and Trade, the Daughters of Industry, and Fishing upon our Coasts) it is become the Store-House of all those Merchandizes that may be Collected from the Rising, to the Setting of the Sun, and gives those People a Name as large and high as the greatest Monarch this day on Earth.

Nor need we pass out of Christendom to find Examples of the like, when *Venice*, *Genova*, *Lubeck*, *Emden*, and the rest of the *Hansa-tick* Towns (once the *Marts* of the World, till Sloth, Luxury, and Ambition got within their Walls, and drove it to Ports of Industry) that have since kist and embrac'd it, the which, this Isle, by the Influence of King *Charles* the second, of Blessed Memory, after his happy Restauration, was no small-Sharer in.

Hence it is, that Trade and Commerce are now become the only Object and Care of all Princes and Potentates, (its Dominion not being acquired by the rueful Face of War, whose Footsteps leave behind them the deep Impression of Misery, Devastation, and Poverty) they knowing the return of Commerce is Riches, and plenty of all things conducing to the Benefit of Humane Life, and Fortifying their Countries with Reputation and Strength.

(b) Vide Camden's 2. Elizabeth An. 1568. (i) A. E. *Meteran. Hist. Belg. lib. 3.*

It was Trade that gave Occasion to King *Charles* the First to prepare that Royal and Gallant Navy, *Anno* 1635. And the bringing those mighty Fleets to Sea, (k) as if God had left it to them to decide by Force (wherein no Age or time, before, could witness the like) the Empire of the World: Hence it was, (the advantages being found which arise by Commerce) that Navigation got its Birth in the World, reducing the several Nations on the Earth by that means to be as one Common Family; and when, (we even in the state of Canibals) in this Isle, it brought in a People that instructed us in Arts, Policies, and Manners, and taught us Actions no less Vertuous than those themselves followed; and long, and difficult it was before that mighty People could be brought over to have Thoughts of the Advantages arising from Commerce, (l) and Navigation, (they only propounded to themselves Blood, Slaughter, Conquest, the Riches, and Spoils of Nations,) but when they entred into the *Carthaginian* War, (m) a Quarrel with a People not worth the opposition of a Tribune (as they thought) but finding that neither Tribune nor Consul, no, nor the Flower of the *Roman* Army was able to withstand them, or to prevent the Invasion of their Country, and then in the very Bowels of the same, put it to the question, *Rome*, or *Carthage* Mistress of the World? They began to consider whence, and from what Causes those unknown *Africans* should withstand the Conscript Fathers, and Power of *Rome*, and should dare to dispute with those that had led so many Captivated Kings in Triumph, and brought so many haughty Nations to truckle under their Victorious Eagles. At last, they found it was Commerce and Navigation that gave Power and Force to that mighty People; then it was that *Rome* began to know that *Rome* could not be *Rome* (n) without a Naval Force. The which, and to Redeem their bleeding Honour, they soon hastned and Equipt a Fleet, Great as their Competitors; afterward *Argentum* being Won, *Carthage* became no more Impregnable, after which, with Peace they Plowed the Neighbouring Streights; to *Tinges*, (*) *Gades*, and the *Hirculean* Streights; nor could any thing be too difficult afterwards, till they Arrived on

(k) *Anno*. 1665, 1666, 1672, 1673, in *King Charles the 2^ds* Reign. (l) Camden. (m) *Quæstus omnis indeccrus pileitus*, s^yt *Livy*, lib 1. Dec. 3. (n) Though they had an hundred rostrated Ships, and seventy five Gallies under *Cajus Duilius*, and his Collegue, as *Polybius* observes. (o) Nor England cannot be England without a Naval Force. (*) Late the City of *Tangier*.

the *British* Shoar, where beholding her Noble Bays, Harbours and Rivers, Shores and Stations, (the Jewels and Ornaments of that Spot, and having made a Conquest of the same) they soon cultivated into our rude Natures the Spirit of Commerce, teaching and instructing us in those Polite ways that Fortifie a Kingdom by Naval Force, as the Standard and undeniable Marks of Empire.

☞ And by aiding and teaching us in the driving on a continued and peaceable Tract of Commerce, we Fathomed the unknown Depth of the *Indian* Shoar, uniting as it were, Extreame, made the *Poles* to kiss each other, teaching us thereby, that it was not the vast Immensities of Earth, that Created Empire, but Situation, accompanied with Industry, Commerce, and Navigation, that would Enable a People to give Laws to the World.

In the pursuit of whose Virtues this Nation hath not been wanting of following their great Directions, in the Enlarging our Fleets; for they, when they advanced their Eagles on the *British* Shoar, found us not then without Ships of Force, time having not been so envious to this Island as to eat out those Records wherein mention is made (o) that the *Britains* Accompanied the *Cymbrians* and *Gauls*, in the memorable Expedition to *Greece*, long before the Incarnation of our Blessed Saviour Jesus Christ; and it was from that Center, that the Mighty *Cesar* first drew his Line, and took Thoughts of Plowing the Ocean, to find out that Warlike People to face his Victorious Legions; when having Landed, and finding it a Place Adorned by Nature, beyond any thing that could be called Great, taught us to Maintain that Superiority of Dominion, that no Neighbouring Nation should frequent our Peaceable Shores.

(o) *Strabo. lib. 3.*

The Sovereignty of the British Seas Asserted.

AND those Merchants that came, Assign'd them Places (p) to drive their Commerce and Traffick, Jealous that any Neighbouring Rival should Kiss his beloved *Britannia*, but a *Roman*, and for whom he had fetch'd so tedious a March; Thus in our Infancy teaching us both Defence and Commerce.

(p) *Gauls-Town, supposed to be Yarmouth, the Mart for those Neighbouring Merchants.*

But

But when that mighty Empire began to Decline, and those remaining *Romans* began to moulder and mix among the Natives, and to become as one People again, then Sloth, Luxury, and Idleness, (the fore-runners of Ruine) Invaded our Shoars, and by a fatal Stupidity, it suffered our floating Castles, (Bulwarks of the Kingdom) to rot in their neglected Brine, and our Ports to be Survey'd by foreign People; which Supine Negligence, soon subjected us a Prey to our Ambitious Neighbours, who no sooner finished their Conquest, and sheathed their Devouring Sword, but each (as if Inspired by the very Genius of the Place) Equipt their Fleets, great as their Competitors, to secure what they had so dearly Won, of whom History makes mention of, The Mighty *Arthur*, no less Famous in Warlike Atcheivements than in Commanding his (q) Squadrons as far as *Iceland*, bringing those *Northern* People to pay Obeysance to his Victorious Standard, and acknowledge him as their Supream Lord, from the *British* to the *Russian* Tracts, and by him left to the Famous *Edgar*, (r) who no sooner found his undoubted Right, but resolved to Vindicate that Dominion which his Royal Predecessor had with so much Glory Acquired, and with so great Care Communicated and Remitted down to his Successor; who possessing an Absolute Dominion of the Seas, with four Hundred Sail of Ships Guarded his Realm; and what an Absolute Power he had of the Seas, as it is Recorded, (s) as Lord of the Sea, appears in these Words: *I Edgar, King of England, and of the Islands adjacent, and of the Ocean lying round about Britain, and of all the Nations that are included within the Circuit thereof, Supream Lord and Governour, do render Thanks to Almighty God, my King, who hath Enlarged my Empire, and Exalted it above the Royal Estate of my Progenitors, who altho' they arriv'd to the Monarchy of all England, ever since Athelstan, yet the Divine Goodness hath favoured me to subdue all the Kings of the the Islands in the Ocean, * with their most Stout and Mighty Kings as far as Norway, and the greatest part of Ireland, together with their most Famous City of Dublin: By which he Vindicated his Dominion on the Seas, and gave Laws in the Chambers of his Empire. So far Edgar.*

And his Successor *Canutus*, whom Record makes mention, that having laid that Antient Tribute, called *Danegelt*, for the Guarding

(q) *Abrahamus Weleocus de Prifis Anglorum legibus, written originally by Mr. Lambard.* (r) *Incerted in Leges Edwardi. and afterwards Confirmed by the Norman Conqueror.* (s) *Salden's Mare Clausum. lib. 2. cap. 10. to the 16. * Guil. Malms. lib. 2. cap. 8.*

of the Seas and Sovereignty of them, emblamatically Express, sitting on the Shore in his Royal Chair, while the Sea was flowing, saying; *Tu mea Dictionis es, & Terra in sedeo est*, &c. The Assertion of their Great Predecessor, and the Successors of *Cannutus*, as *Egbert*, *Altbred* and *Ethelbred* did not forget the Vindication of their Predecessors Dominions and (t) Sovereignty of the same, under no lower Stile than Supream Lords and Governours of the Ocean surrounding the *British* Shoar, never so much as Contested for by any Nation whatsoever, unless by those that Attempted the Conquest of the entire Empire, in which that became subject to Fate, as well as the other of the Land.

Nor did the Succeeding Princes also of the *Norman* Race, start to wave that mighty Advantage in their Successive Claims, and maintaining their Right to the adjacent Sea, as appeared long after, by that famous Accord made between *Edward* the First, King of *England*, and the *French* King *Philip* the Fair; (u) calling him to an Account for Piracies committed within the *British* Seas; The Submission of the *Flemmings* in open Parliament, in King *Edward* the 2d's Reign, and the Honour or Duty of the Flag, which the Politick King *John* had above four Hundred Years since Challenged by that memorable Ordinance at *Hastings*, there (x) Decreed to take place universally, not barely as a Civility, but as a Right to be Paid, *Cum debita reverentia*, and Persons refusing, to be Assaulted and Taken as Enemies; the same not only to be paid to whole Fleets, bearing the Royal Standard, but to those Ships of Priviledge, that wear the Princes Ensigns, or Colours of Service, nor was this barely a Decree Written, but nobly Asserted by a Fleet of no less than five Hundred Sail, in a Royal Voyage, wherein he Sailed for *Ireland*, in his way, Commanding all Vessels, which he met in eight Circumfluent Seas, to pay that Duty and Acknowledgment.

Edward the Third, was Zealous in Supporting and Maintaining the Honour of his Predecessors, for he Mah'd out a Fleet of seven Hundred Ships, (tho' on another Occasion) with

(t) *March Westm. Anno. 1035. fol. 409. Seld. Mare Clausum, lib. 2. cap. 11.* (u) *Coke 4 Inst. fol. 142.* (x) *Inter Reges Marinas sub fine Anni Regni Regis Johis 2.*

two Hundred of which, he Vanquished a Fleet of twice the Number, before *Calice*, to the loss of Thirty Thousand of the *French*, as is before observed.

And our Victorious Conquerour of our Saviour's Sepulchre, *Richard*, Sir-Named the Great, in his Return from the Holy Land, had a Noble and Royal Navy, to (bring and) Attend him Home, and in his way, took and destroy'd about one Hundred of the *French* Ships.

The Tribute called *Dane Geld*, was paid in the time of the *English Saxons*, which amounted to four Shillings for every Hide of Land, for the Defending the Dominion by Sea.

(y) *Roger Hooverden* Asserteth, it was paid till the Reign of King *Stephen*, and in the Parliament Records of King *Richard* the 2^d, it is observable, That a Custom was imposed upon every Thing that passed thro' the *Northern Admiralty*; that is, from the *Thames* along the *Eastern Shoar of England*, towards the *North-East*, for the Maintaining a Guard for the Seas.

And this was not imposed only on the *English*, but also upon all the Ships of Foreigners, paying at the Rate of Six Pence a Tun, that passed by, such Ships only Excepted, that brought Merchandize out of *Flanders*, to *London*, (z) *Rot. Par. 2. Rich. 2. part 2. Ass. 38. Rot. Fran. Hen. 4. Rot. Fran. 38. Hen. 6. Rot. Par. 23. Edw.* And it appeareth by Publick Records containing divers main Points, touching which, (a) the Judges of the Land were to be Consulted for the good of the Common Wealth; that the King's Sea Dominion, which they called the Antient Superiority of the Sea, was a Matter beyond Contradiction, amongst all Lawyers of that Age, Asserted by Determinations and Customs of the Laws of the Land, and by expresse Words of the Writs, and Forms of the Actions themselves.

And this Truth was not only Confirmed by the Laws, but by our Medals; there has been pieces of Gold very often Coyn'd by our Kings, called a Rose Noble, which was Stamped on the one side of it, a Ship floating in the Sea, and a King Armed with a Sword and Shield, sitting in the Ship it self, as

(y) *Am. 26 part, page 276.* (z) *Seld. Mare Clausum, pag. 334.* (a) *Vide Edw. Coke, part 2^{da}, 5^{ta}, fol. 108. and in Con. Littleton, s^{ca}, 439. fol. 260.*

in a Throne, to set forth the Representation of the *English* King by Sea.

The first Author hereof, was *Edward* the Third, when he Guarded his own Seas with a Potent Navy, consisting of Eleven Hundred Ships, at which time, as at others, he Marched Victoriously thro' *France*.

And in *Edward* the 4th's Reign, (b) he Order'd Commanders with a Naval Power, to Protect and Guard the Fishermen upon the Coast of *Norfolk* and *Suffolk*, &c. and the Charges of the Guard were Defray'd by the Fishermen; The *English* Nation were ever in past Ages, Renowned for Sea Affairs, in all Countries near the Seas, and they had also a Numerous Navy, that the People of all Countries Esteem'd, and called the Kings of *England* King and Sovereign of the Seas.

But of all that has been said, there can hardly be alledged a more convincing Argument to prove the Truth of all that hath hitherto been spoken, than the Acknowledgment of the Sea Dominion of the Kings of *England*. When the Agreement was made by *Edward* the First, of *England*, and *Philip* the Fair of *France*; (c) *Reyner Grimbald* was then Admiral of the *French* Navy, intercepted and spoil'd on the *English* Seas, the Goods of many Merchants that were sailing to *Flanders*, as well *English*, as others, and was not contented with the Depredation of their Goods, but he Imprisoned their Persons, and deliver'd them up to the Officers of the King of *France*.

And in a very insolent Manner, Justified his Actions in writing; as done by Authority of the King his Master's Commission.

This being alledged to be done to the great Damage and Prejudice of the King of *England*; The Prelates, Peers and the rest of the Nation, Exhibited a Bill of Complaint against *Reyner Grimbald*, Managed by the Procurators, on the behalf of the Prelates, Peers, and of the Cities and Towns throughout *England*, and also of the whole Kingdom of *England* in General, and by and with the Authority of the Estates Assembled in Parliament, with those were joyned the Procurators of most Nations Bordering upon the Sea, thro'out *Europe*, viz.

(b) Rob. Belknap, an Eminent Judge in his Time, affirmed, That the Sea is subject to the King, as part of his Kingdom, or of the Patrimony of the Crown. (c) Rot. par. 31. Edw. 1. Membrain. 16.

The <i>Genoeses</i> ,	}	The <i>Hollanders</i> ,
The <i>Catalonians</i> ,		The <i>Friezlanders</i> ,
The <i>Spaniards</i> ,		The <i>Danes</i> ,
The <i>Almaigns</i> ,		The <i>Norweigans</i> ,
The <i>Zealanders</i> ,		The <i>Hamburgbers</i> .

And all these Instituted a Bill of Complaint against *Reyner Grimbold*, who was then Admiral of the *French Navy*, in the time of the War between *Philip the Fair of France*, and *Guy Earl of Flanders*, and all those Complainants in their Bill, did jointly Affirm that the King of *England* and his Predecessors, have time out of mind, and without Controversy, Enjoy'd the Sovereignty and Dominion of the *English Seas*, and the Isles belonging to the same, by Right of the Realm of *England*, that is to say, by Prescribing Laws, Statutes, and Prohibition of Arms, and of Ships otherwise Furnished than with such Necessaries and Commodities, as belong to Merchants, &c.

Also that they have had, and have the Sovereign Guard thereof, with all manner of Cognizance and Jurisdiction, doing Right and Justice, according to the said Laws, Ordinances and Prohibitions, and in all other Matters which may concern the Exercise of Sovereign Dominion in the said Places.

This is the Declaration of the Nations aforementioned, and they did all Declare, That the King of *England* was Lord of the Seas.

This is Cited out of the Parliament Records, and they did Declare an Acknowledgment of the Sea Dominion of our Kings, made by those Foreign and Neighbouring Nations, who were most concern'd in the Business, to the Glory of our Kings of *England*, and perpetual Honour of the Nation.

Mr. *Hitchcock*, in the Reign of Queen *Elizabeth*, Presented a Book to the Parliament concerning the Commodity of Fishing, That the *Hollanders* and *Zealanders*, every Year, towards the latter end of Summer, do send out four or five Hundred Vessels, called *Busses*, to Fish for Herrings in our *Eastern Seas*, but before they Fished, they asked leave of the Governour of *Scarborough Castle*.

Hugo Grotius, a *Hollander*, upon the Inauguration of King *James the First*, of *England*, he Rendreth this Magnificent Character of him; *Tua Sceptra Profundi, in Magne Cojere ducem*, which

which is, That the Rights of the *English*, *Scottish*, and *Irish* Seas are united under one Sceptre; neither is he satisfied with this bare Profession; but he goes on; *Sume animos a Rege tuo, quis det furi Mare*; which is, Take Courage from the King, who giveth Laws to the Sea; and in the same Book, in Contemplation of so Great a Power, he concludes; *Finis hic est, qui fine caret*, &c. that is, This is an End beyond an End, a Bound that knoweth no Bound; a Bound that even the Wind and the Waves must submit to; (d) This is the Acknowledgment of *Hugo Grotius* himself, that before had disown'd the Sovereignty of the *British* Seas; in his Book; Entituled; *Mare Liberum*.

Care was also taken in King *James* the First, of *England's* Reign, That no Foreigner should Fish on the *English* or *Irish* Seas, without Leave first obtained; and every Year, at least, this Leave was Renew'd, from Commissioners, for that purpose, appointed at *London*.

And the Kings of *France* formerly have desired Leave of the Kings of *England* for a certain time, to Fish on our Seas, only for Fish for his Houshold, and obliged themselves in Articles, that none of the Fish that was taken in the *British* Seas should be expos'd to Sale in any Market.

In the Seventh Year of the Reign of King *James* the First, the Sovereignty of the *British* Seas was strenuously asserted by Proclamation, and all Persons Excluded from the use of the Seas upon our Coasts, without particular Licence; the ground whereof you have here set down in the Proclamation it self.

(d) *Hugo Grotius, Mare Liberum. lib. 1. & lib. 2.*

A Proclamation touching Fishing.

JAMES by the Grace of God, King of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, &c. To all and singular Persons to whom it may appertain, Greeting,

Although we do sufficiently know by our Experience in the Office of Regal Dignity, (in which, by the Favour of Almighty God, we have been Placed and Exercised these many Years,)

as also by the Observation which we have made of other Christian Princes Exemplary Actions: How far the absoluteness of Sovereign Power extendeth it self; and that in regard thereof, we need not yield Account to any Person (under God) for any Action of ours, which is Lawfully grounded upon that Just Prerogative; yet such hath ever been, and shall be Our Care and Desire, to give Satisfaction to Our Neighbouring Princes and Friends, in any Action which may have the least Relation to their Subjects Estates, as We have thought good, by way of Premonition, to Declare to them, and to whomsoever it may Concern, as followeth.

Whereas we have been Contented since Our coming to the Crown, to Tolerate an indifferent and promiscuous kind of Liberty, to all Our Friends whatsoever, to Fish within our Streams, and upon any of Our Coasts of Great Britain and Ireland, and other adjacent Islands, so far forth, as the Permission or Use thereof, might not Redound to the Impeachment of Our Prerogative Royal, nor to the Hurt and Damage of Our Loving Subjects, whose Preservation and flourishing Estate, We hold Our Selves principally Bound to Advance, before all Worldly Respects: So finding that Our Continuance therein hath not only given Occasion of over great Encroachments upon Our Regalities, or rather Questioning our Right, but hath been a Means of daily Wrongs to Our own People that Exercise the Trade of Fishing; as either by the Multitude of Strangers which do Pre-occupy those Places, or by the Injuries they Receive most commonly at their Hands, Our Subjects are constrained to abandon their Fishing; or at least, are become so Discouraged in the same, as they hold it better for them to betake themselves to some other Course of Living; Whereby not only divers of Our Coast Towns are much Decay'd, but the Number of Marriners daily Diminish, which is Matter of Great Consequence to Our Estates, Considering how much the Strength thereof Consisteth in the Power of Shipping, and Use of Navigation; We have thought it now both Just and Necessary, (in Respect we are now, by God's Favour, lineally and lawfully Possessed as well of the Islands of Great Britain and Ireland, and the rest of the Islands adjacent) to betink Our selves of Good and Lawful Means to prevent those Inconveniencies, and many others depending upon the same. In Consideration whereof, as we are desirous that the World may take Notice that We have no Intention to deny Our Neighbours, the Allies, those Fruits and Benefits of Peace and Friendship, which may justly be expected at Our Hands, in Honour and Reason, or are afforded to other Princes in point of Commerce and Exchange of those Things which may not prove Prejudicial

adial to them; So because some such Convenient Order may be taken in this Matter, as may sufficiently Provide for those Important Considerations; We have resolved first, to give Notice to all the World, That Our Express Pleasure is, That from the beginning of the Month of July next coming, no Person of what Nation or Quality whatsoever, being not our Natural Born Subjects, be permitted to Fish on any of Our Coasts, and Seas of Great Britain and Ireland, and the rest of the Isles adjacent, where most usually heretofore hath been, until they have orderly Demanded and Obtained Licenses from Us, or such of Our Commissioners as We have Authoriz'd in that Behalf, viz. at London, for Our Realms of England and Ireland; and at Edenburgh, for Our Realm of Scotland; which Licenses, Our Intension is shall be yearly Demanded, for so many Vessels and Ships, and the Tunnage thereof, upon any of Our Coasts and Seas, as aforesaid, upon the Pain of such Chastisement, as shall be fit to be Inflicted on such Offenders.

Given at Our Palace at Westminster, the 6th of May, in the 7th Year of Our Reign of Great Britain, Anno. 1609.

Yet notwithstanding this Proclamation, the *Netherlanders* still proceeded in the way of their Encroachments upon the *British* and *Irish* Seas, through the whole Reign of King *James*, and were at length so Bold as to Contest with him, and Quarell his Majesty out of his Right, as to his Royal Power of Granting Licenses, for Fishing on his Seas or Coasts, to all Foreigners, because Queen *Elizabeth*, through Her Pity and Compassion to the Poor Distressed States of *Holland*, as they then Stiled themselves, did permit them to Fish on her Seas and Coasts, and therefore the *Netherlanders* pretending they had of their own Right an Immemorial Possession.

And in King *Charles* the First's Reign, a Proclamation was Published for Restraint of Fishing upon his Seas or Coasts, without Licence, Dated the 10th day of May, in the 12th Year of his Reign. This Proclamation being set forth in the Year 1636. served to speak the Intent of those Naval Preparations made in the Year 1635. which were so numerous, and well provided, that our *Netherland* Neighbours were apprehensive of

of some great Design in Hand, for the Honour and Interest of England, by Sea: As I might shew more at large (if it were requisite) by certain Papers of a Publick Character, yet in Being.

But, there is onemay serve instead of all, and it is a very Ingenious Letter of Secretary Coke's, that was written to Sir William Boswell, the King's Resident, then at the *Hague*; the Original whereof is still reserved in the Publick Papers; in which Letter he sets forth the Grounds and Reasons of preparing that Royal and Gallant Navy; with the King's Resolution to maintain, and defend the Right derived from his Royal Progenitors in the Dominion of the *British* Seas, and the Islands adjacent; and therefore I here Render you a true Copy of it, so far as concerns this Business, as most pertinent to our Purpose.

S I R,

BT your Letters and otherwise, I perceive many Jealousies and Discourses are raised upon the Preparations of His Majesty's Fleet, which is now in such forwardness, that we doubt not, but within this Month it will appear at Sea. It is therefore Expedient, ot b for your Satisfaction and Direction, to Inform you particularly what was the Occasion, and what is his Majesty's Intention in this Affair.

First, We hold it a Principle not to be denied, (as it may be proved from undeniable Record,) That the King of Great Britain is a Monarch at Land and Sea, to the full Extent of his Dominions; and that it concerneth him as much to maintain his Sovereignty in the *British* Seas, as within his three Kingdoms; because without that, those cannot be kept safe, nor he preserve his Honour and due Respect with other Nations. But commanding the Seas, he may cause his Neighbours, and all Countries to stand upon their Guard whensoever he thinks fit.

And this cannot be doubted, that whosoever will encroach upon him by Sea, will do it also by Land, when they see their time.

To

To such Presumption (e) *Mare Liberum*, gave the first Warning-piece, which must be answered with a defence of (f) *Mare Clausum*; not so much by Discourse, as by the louder Language of a Powerful Navy; to be better understood, when over-strain'd Patience seeth no Hope of preserving her Right by other Means.

The Degrees by which His Majesty's Dominions at Sea, bath of latter Tears been Impeached, and then Question'd, are as Considerable as Notorious.

First, To Cherish, and as it were to Nourish our unthankful Neighbours, we gave them leave to gather Wealth and Strength upon our Coasts, in our Ports, by our Trade, and by our People: Then they were glad to invite our Merchants Residence with what Privileges they would desire: Then they offer'd us the Sovereignty of their Estates, (g) and then they sued for Licence to Fish upon Our Coasts, and obtain'd it under the Broad-Seal of Scotland, which now they Suppress.

And, when thus by leave, or by Connivance, they had possess'd themselves of our Fishings, not only in Scotland, but in Ireland and England, and by Our Staple had rais'd a great Stock of Trade; by these Means they so Encreased their Shipping, and Power at Sea, that now they endure not to be kept at any Distance; Nay, they are grown to that Confidence, to keep Guards upon Our Seas, and then Project an Office, and Company of Assurance for the Advancement of Trade, and withal, Prohibit Free Commerce within Our Seas, and take our Ships and Goods if we conform not to their Placarts. What Insolencies and Cruelties they have Committed against us in Ireland, in Greenland, and in the Indies, is too well known to all the World.

In all which, though Our Sufferings may seem forgotten, yet the great Interest of His Majesty's Honour is still the same, and will refresh their Memories as there shall be Cause.

For, though Charity must remit Wrongs done to Private Men, yet the Reflection upon the Publick may make it a greater Charity to do Justice on Crying Crimes. All this, notwithstanding, you are to conceive that the Work of this Fleet is not only Revenge, or Execution of Justice for those great Offences past, but chiefly for the future, to stop the violent Current of that Presumption, whereby the Men of War, and free Booters of all Nations, (abusing the Fa-

(e) Vide Hugo Grotius. (f) Vide Selden's *Mare Clausum*. (g) In the Reign of Queen Elizabeth.

vour of His Majesty's Peaceable and most Gracious Government) whereby he hath permitted all his Friends and Allies to make use of his Sea-Ports at a reasonable and free manner (according to his Treaties) they have taken upon them the Boldness, not only to come confidently at all times into all His Ports and Rivers, but to Convooy their Merchant Ships so high as his Chief City, and then to cast Anchor close upon his Magazines, and to contemn the Command of his Officers, when they have required a further Distance.

But, which is more Intollerable, have assaulted and taken one another within His Majesty's (b) Chamber, and within His Rivers, to the Scorn and Contempt of His Dominion, and Power; And this being of late Tears an ordinary Practice, which we have endeavour'd in vain, to Reform by the way of Justice, and Treaties; the World I think will be satisfied, that we have Reason to look about us. And no Wise Man will doubt, but it is high time to put Our Selves in this Equipage upon the Seas; and not to suffer that stage of Action to be taken from us for want of Our Appearance.

So you see the general Ground upon which Our Council stands; in particular, you may take notice, and Publish as Cause requires; That his Majesty by his Fleet intendeth not a Rupture with any Prince or State, nor to Infringe any Point of his Treaties, but resolveth to Continue and Maintain that Happy Peace wherewith God hath Blessed his Kingdom, and to which all his Actions and Negotiations have hitherto tended, as by your Instructions you may finally understand.

But withal, considering that Peace must be Maintained by the Arm of Power, which only keeps down War by keeping up Dominion; his Majesty thus Provoked, finds it Necessary for his own Defence and Safety, to Re-assume, and keep his Antient and undoubted Right * in the Dominion of these Seas, and to suffer no Prince, or State, to Encroach upon him, thereby Assuming to themselves or their Admirals, any Sovereign Command; but to force them to perform due Homage to all his Admirals, and Ships, and to pay them Acknowledgments, as in former times they did.

He will also set open, and Protect the free Trade both of his Subjects and Allies, and give them such safe Conducts, and Convoys, as they shall reasonably Require.

He will suffer no Fleets, nor Men of War, to keep any Guard upon his Seas, or they to offer Violence, to take Prizes, or Booties, or to give Interruption to any Lawful Interourse.

(b) The Downs.

In a Word, His Majesty is resolv'd, as to do no Wrong, so to do Justice, both to his Subjects and Friends, within the Limits of His Seas.

And this is the real and Royal Design of his Fleet, whereof you may give Notice, as you find Occasion, to Our good Neighbours in those Parts, that no Umbrage may be taken of any Hostile Act, or Purpose to their Prejudice in any kind. So wishing you all Health and Happiness, I Rest,

Your Assured Friend, and Servant,

John Coke.

Whitehall

16 April,

1635. Our

Stile.

So what has been said is sufficient to prove the indisputable Titles of the King's and Queen's of England's Sovereignty over the *British* Seas.

*And they who the Queen's Prerogative dis-own.
Do strive to pick a Jewel from the Crown.*

That by which hath been so strenuously asserted, it doth evidently appear, That the Kings and Queens of England, (by immemorable Prescription,) continual Usage and Possession, and also by Acknowledgments of all the Kings, Princes, and States of Christendom) have always had the Sovereign Propriety of the *British* Seas; and Her Majesty, by Right of Her Sovereignty, hath Supream Command, and Jurisdiction over the Passages of Her Seas, and Fishing therein, beyond all Contradiction.

And, considering the Natural Scite of these our Seas, that interpose between the great *Northern* Commerce, and that of the whole World; and also that of the *East*, *West*, and *Northern* Climates, and withal, the vast Treasure that is got by Fishing in them daily.

It cannot therefore be doubted, but Her Majesty, by reason of Her great Wisdom, Vertue, and her admirable Prowess, (and diligent Care of her Faithful and Loyal Subjects, may without any Injustice to any Prince or States, be the greatest Queen for Wealth and Command, in the World, and her Subjects the most Opulent, and Flourishing People under Heaven.

And the Sovereignty of the Seas being the most precious Jewel of Her Imperial Crown, (and next under God) the principal Means of our Wealth and Safety; all True *Englishmen* are bound, by all possible ways of Honour, and Industry, to preserve it, with the utmost Hazard of their Lives and Fortunes.

Thus you see what Wonderful Advantages may redound to the Felicity and Glory of this Nation; if God gives us Hearts and Resolutions to Vindicate those Rights which are most impiously, and injuriously, Invaded by our Neighbours.

☞ There is no Dominion that can Expect to Flourish in Trade, or be Enrich'd by Commerce, if they do not secure themselves by Force of Arms, either by Sea or Land, as (Opportunity offers, or) Necessity requires.

For if we had the Mines of *Mexico* and *Peru*, in this Nation, unless they were secured by Strength of Arms, the Treasure would undoubtedly lie open to be made a Prey to any that would Invade us.

And we must allow that undeniable Axiom, (i) *Qui Mare tenet, eum necesse esse rerum potiri*. Without which, the *British* Sovereignty, is an empty Title.

Nor ought alone the Praises of these Monarchs, whose mighty Care has always been to Preserve the Reputation of Empire, in their *Maritim* Preparations, to be Remembred; but also those of our Inhabitants, who always have been as Industrious to follow the Encouragement of those Princes under whom they Flourished, and who with no less Glory and timely Application in Traffick, did constantly follow the Examples of those of *Genoa*, *Portugal*, *Spaniards*, *Cassilians*, and *Venetians*, whose Fame in Matters of Commerce ought to be Recorded in Letters of Gold, since the Ages to come, as well as present, have been doubly Obliged to their Memory; the third of which making use of a Discontented Native of *England*, the Famous (k) *Columbus*, who prompted by that Genius that naturally follows a Native Wise Man, discovered a new World, in whose Expedition he fathom'd unknown ways, and detected the *Antillus*, *Caba*, and *Jamaica*, &c. and the *Terra firma* of the *American* Shore.

(i) *Cic. ad Attic.* (k) *Born in England, but Resident at Genoa.*

Who taking his Conjectures from the Spiring of certain Winds from the *Western* Points by strong impulse, accompanied with that Philosophy he attained to, concluded some Continent must be hid in those unknown Parts; his Service being first offered to his Prince, (l) and refused, he was soon after Entertained, purely on the Faith of that Noble Princess *Isabella* of *Spain*, who (m) for seventeen Thousand Crowns (for which she engaged her Jewels) received not long after, as many Tuns of Treasure, and to her Husbands own use, in eight or nine years time, came above Fifteen hundred thousand of Silver; and Three hundred and sixty Tuns of Gold.

Thus Ingenuity Encouraged, tho' in one single Person, hath occasioned great Wonders, and from a small Kingdom as *Spain*, it hath since raised its Head in a Condition of bringing all those many Kingdoms and vast Immensities of Earth which they Protect, putting them once in thoughts of no less than an Universal Monarchy.

We may also mention *Sebastion Chabot*, a Native of *Bristol*, who discovered *Florida*, and the Shores of *Virginia*, Dedicated to that Virgin Princess *Elizabeth*, and *Thorn, Eliot, Owen, Gwyned, Hawkins, Cavendish, Furbisher, Davis, Stadson, Raleigh*, and the Incomparable *Drake*, who was the first Agreed universally of any Man, to whom God Vouchsafed the Stupendious Atchievement, of encompassing not this New World alone, but New and Old together, twice embraced by that mighty Man, who first making up to *Nombre de Dios*, got sight (with Tears of Joy) of the *Southern* Seas, the which in five years after he Accomplished, passing through the *Magellan Streights*, towards the other *Indies*, and doubling the Famous *Promontary*, he Circumnavigated the whole Earth.

And to his Immortal Honour, Vanquished the *Spanish* Armado, (called by them Invincible) in the Reign of Queen *Elizabeth*, when they came to Invade this Land; and farther, the Famous and never to be forgotten Sir *Francis Drake*, was supposed to be the first Man that Invented Fire-Ships, and by that ingenious Stratagem he overthrew the *Spanish* Fleet; for which Glorious Action, the Queen did him the Honour to put a

(l) Henry the 7th. (m) *Campanch. Hist. Hispan.*

Drake upon her Coin, as an Acknowledgement of his great Service, and to perpetuate his Memory.

To Reckon up the Particulars of *John Oxenham*, (a Sharer in that Mighty Performance of *Drake*) of his drawing his Vessel up to Land, and covering the same with Boughs, passed the unknown Paths of Land from *Nombre de Dios*, to the *South Sea*, and their Building a Pinnacle, enters the Isle of *Pearls*, and from the *Spaniards* took a Treasure almost beyond Credit.

And of late years, that Worthy Captain *Sir John Norborough*, nor ought he to be precluded from having Place after *Sir Francis Drake*, he having not long since passed and re-passed the *Magellan Streights*, by which that Worthy Person hath performed that Atchievement that never was done before.

There was likewise *Willoughby*, *Burroughs*, *Chancellor*, *Button*, *Baffin*, *James Middleton*, *Gilbert Cumberland*, Men of Indefatigable Diligence, and Industry, who Plowed up the *North-East* and *North-West Cathaian* and *China Passage*; of *Jones* and *Smith*, whose Fortune and Courage were great in those Parts; and one *Poole* first found out the Whale Fishing; Captain *Bennet* the first Discoverer of *Cherry Land*, *Gillian*, and *Pett*, and *Yackman*, that passed the *Vaigates Scythian Ices*, and the River of *Ob*, as far as *Nova Zembla*. The Famous *Davis*, and *Wood*, who had penetrated Eighty six Degrees of Latitude, and almost set their Fleet on the *Northern Pole*.

And *Sir William Phipps* discover'd amongst the Rocks, near the Banks of *Bahama*, on the *North* side of *Hispaniola*, a *Spanish* Plate Ship, which had been under Water four and Forty Years, out of which he took of Gold and Silver, Three Hundred Thousand Pound, and brought it all to the Port of *London*, in the Year, 1687.

And Captain *Dampier*, Famous for his Discoveries, and for truly Valiant Heroes, the Famous Admiral *Monk*; *Blake*, *Lawson*, *Mines*, *Jorden*, *Sir Jeremy Smith*, *Lord Sandwich*, *Earl of Offery*, *Sir Edward Spragg*, *Sir Flecheville Hollis*, *Sir John Kemthorn*, Captain *Washbourn*; the two latter the late *Earl of Rochester* was please to give this Encomium of them:

Holland Wars
1672, 1673.

*Kemphorn! who in all Fights
Has Wonders wrought,
Sent a large Ship
To Neptune for a Draught!*

But

*But Waffbourn, thinking
That did not suffice,
To his Libation
Adds a Sacrifice,*

Living Commanders, His Royal Highness Prince *George*, the Victorious Earl of *Orford*, who was Admiral of the Royal Navy, and had the Success of Burning the Royal Sun, a Ship that carried above a Hundred Guns, Commanded by Admiral *Town-vill*, then Admiral of the *French* Fleet, and Sunk and Burnt so many of their Ships, *Anno* 1692, at *La Hogue*, that they never since Faced the *English* Navy by Sea; Sir *George Rook*, Marquess of *Carmarthen*, Sir *Cloudsley Shovell*, Sir *Ralph Delaval*, Admiral *Benbow*, Captain *Henry Priestman*, &c.

Men, whose Courage and Glorious Actions, as well in Battles, as in atchieving Discoveries, and pointing out to Places for Immense Improvements in Navigation and Commerce, ought to be Enrolled in the Temple of Fame, as Monuments to succeeding Ages, of their Mighty and Laborious Travails and Industry.

☞ The Consideration of all which, gave some sparks of Encouragement to the writing this Treatise, especially when reflecting that there is a Common Law which governs the great and weighty Affairs of Navigation and Commerce, I had some Impulses more than ordinary to induce me to the same, considering the present Juncture of Affairs, both at Home and Abroad, the whole World comparatively, being in War, both by Sea and Land, and at a time when Navigation and Commerce were never since the Creation of the World (from the Erection of, by Divine Instinct, that mighty *Prototype*, the Ark, to this present Age) in greater Esteem than now.

And by which we have found vast and great Easements and Discharges from those Royal, and Just Rights and Dues, which now, and of Old were Justly due to those that Govern'd this Empire; therefore ought by all ways and means to be Fortified, and Encouraged, be it by whatsoever Art, Science, or Thing, that does in the least point out towards the same.

The

The Right of the Flag, as to the Acknowledgment of the Dominion of the British Seas.

After the Writings of the Illustrious *Selden*, certainly it's Impossible to find any Prince or Republick, or single Person indued with Reason or Sense, that doubts the Dominion of the *British Sea* to be intirely Subject to the Imperial Diadem of *England*, or the Duty, or Right of the Flag, which indeed, is but a consecutive Acknowledgment of that ancient Superiority. Yet there are some have not been wanting, who, though they have not question'd the former, have highly disputed the latter.

But there are some fatal Periods amongst our *Northern Regions*, when the Inhabitants do become so Brutal, and Prejudicate, that no obligation of Reason, Prudence, Conscience, or Religion can prevail over their Passions, especially, if they become the Devoted Mercenaries of an Implacable Faction (n) in opposition of all that can be called Just and Honourable; we need not rip up the Carriage of that Insolent Son of a Tallow-Chandler, whose Deportments made him no less insupportable at Home, than he was amongst Forreign Princes; the Testimonies of his Parts and Abilities being no other than Monuments of his Malice, and Hatred to this Nation, and Records of his own Folly.

But Princes are not to be wrangled out of their Rights, and Regalities, by subtle Arguments of Wit and Sophistry; nor are they to be supplanted, or overthrown by Malice, or Arms, so long as God, and Good Men will assist, in which his Sacred Majesty did not want, when he asserted his Right with the Blood (o) and Lives of so many Thousands that fell in the Dispute, and *Opdam*, their great Admiral's Ship was blown up in the Air, and he, and all his Men Perished.

(n) Lovestein, Car. 2. (o) In K. Charles the 2d's Reign.

That Princes may have an Exclusive Property in the Sovereignty of the several parts of the Sea, and in the Passage, Fishing, and the Shores, is so evidently true by way of Fact, as no Man that is not desperately Impudent, can deny it; the Consideration of the general Practice in all Maritim Countries, the necessity of Orders in Mutual Commerce, and the safety of Men's Persons, Goods, and Lives, has taught the most Barbarous Nations to know by the Light of Humane Reason, that Laws are as equally necessary for the Preservation and Government of the Sea, as those that Negotiate, and Trade on the firm Land; and, that to make Laws, and to give them the Life of Execution, must of necessity require a Supream Authority, (for, to leave every part of the Sea and Shores to an Arbitrary, and Promiscuous Use,) without a correcting or securing Power, in case of Wrong or Danger, is to make Men in the like condition with Fishes, where the greater devour, and swallow the less.

And though the Sea is as the High-way, and common to all, yet it is as other Highways by Land or great Rivers are, which, tho' common and free, are not to be usurp'd by private Persons to their own entire Service, but remain to the use of every one; not that their Freedom is such, as that they should be without Protection or Government of some Prince or Republick, but rather not exclude the same; for the true Ensign of Liberty and Freedom is Protection from those that maintain it in Liberty. (p)

And as the Sea is capable of Protection and Government, so is the same no less than the Land, Subject to be divided amongst Men, and appropriated to Cities, and Potentates, was a thing long since ordain'd of God, as a thing most natural; whence it was that *Aristotle* said, That unto Maritim Cities, the Sea is the Territory, because from thence they take their Sustenance and Defence; a thing which cannot be, unless part of it might be appropriated in the like manner as the Land is, which is divided betwixt Cities, and Governments, not by Equal Parts, or according to their greatness, but according as they are able to Rule, Govern, and Defend them: *Berne* is not the greatest City of *Switzerland*, yet she hath as large a Ter-

(p) See the *Plea* of *Chizzola* for the Venetian Sovereignty of the *Adriatick Sea*. Vide at the end of *Mr. Selden*.

ritory as all the rest of the twelve *Cantons* put together. The Cities of *Noremberg*, and *Genoa*, are very Rich and Great, yet their Territories hardly exceed their Walls; and *Venice*, the Mistress, and Queen of the *Mediterranean*, was known for many Years to be without any manner of Possession on the main Land, and *Amsterdam* in *Holland*, is the greatest City of that Province, yet has the least Land belonging to it of any City in the Low-Countries, although the Wealthiest.

Again, on the Sea certain Cities of great Force have possess'd large quantities thereof; others of little Force have been contented with the next Waters.

Neither are their wanting Examples of such, as notwithstanding their Maritim Towns, yet have fertile Lands lying on the back of them, have been contented therewith, without ever attempting to gain any Sea Dominion; others, who being aw'd by their more mighty Neighbours, have been constrained to forbear any such Attempt, for which two Causes, a City or Republick, tho' it be Maritim, yet it may remain without any Possession of the Sea.

God hath Instituted Principalities for the maintainance of Justice, to the Benefit of Mankind, which is necessary to be Executed, as well by Sea as by Land. *St. Paul* saith, That for this Cause, there were due to Princes, Customs, and Contributions.

It would be a great Absurdity to praise the well-Government, and Defence of the Land, and to condemn that of the Sea; nor doth it follow, because the Vastness of the Sea, that it is not possible to be Govern'd, or Protected, but that proceeds from a Defect in Mankind; for, Desarts, though part of Kingdoms, are Impossible to be Govern'd, and Protected; witness the Desarts of *Arabia*, of *Africa*, and the great Tracks of Land in *America*.

As it is a Gift of God, that a Land by the Laws, be Ruled, Protected, and Govern'd, so the same happens to the Sea; and those (q) are deceiv'd by a gross Equivocation, who aver, that the Land, by reason of its Stability, ought to be subjected, but not the Sea, for being an unconstant Element, no more than Air; forasmuch as they intend by Sea and the Air,

(q) *Grotius Mare Liberum Communio parit discordiam, quod cum inter possidetur, Pius naturali negligitur, habet communio rerum gerendarum. Leg. pater dalcifine. Leg. 2.*

all the parts of the Fluid Elements, it is a most certain thing, that they cannot be brought under Subjection and Government, because, that whilst a Man serves himself with any one part of them, the other escapes out of his Power; but this chanceth also to Rivers, which cannot be detained; but, when one is said to Rule over a Sea, or River, it is understood, not of the Element, but of the Scite where they are placed, the Water of the *Adriatick*, and *British* Seas, continually runs out thereof, and yet is the same Sea as the *Danube*, *Tyber*, *Poe*, *Rhine*, *Maes*, *Seyn*, *Thames*, or *Severn*, and yet are the same Rivers they were a Thousand Years since, and this is that, that is subject to Princes by way of Protection and Government.

And it would seem Ridiculous if any Man should assert, that the Sea ought to be left without Protection, so that any one might do therein well or ill, Robbing, Spoiling, and making it un-navigable, or whatsoever should be fitting in their Eyes; from all which it is apparent, that the Sea ought to be governed by those, to whom it most properly appertains, by the Divine Disposition.

When *Julius Caesar* first undertook the Invasion of this Isle, he summoned the Neighbouring *Gauls* to inform him of the Shores, Ports, Havens, and other things convenient, that might accelerate his intended Conquest, but from them nothing could be had, they answering, All Commerce, and Traffick, and visiting their Ports, was interdicted to all Nations, before Licence had, nor could any but Merchants visit the same; and then they had places assign'd them, (r) whither they should come; nor was this Dominion that the *Britains* then used, commanded without a Naval Force, the sight of which when *Caesar* saw, he prefer'd them before those of the *Romans*: For, upon that occasion it was, that *Caesar* having seen those Auxiliary Squadrons, which the *Britains* sent the *Gauls* in their Expeditions against the *Romans*, took occasion to find out that Warlike People, whose bare Auxiliary Aid shook the Flower of the *Roman* Squadrons.

(r) *Gauls Town*, no *Yarmouth* being then, as is conceived, the common place, and Mart, or commerce for the *Gauls*.

*Quod Omnibus fere Gallinis hostibus Nostris
Inde subministrata Auxillia intelligabat.*

*Tact. in
Vita Agri-
cula.

And when the *Romans* became Conquerours of this Isle, the same Right or Dominion, was during all their time supported and maintained, when they sailed round their new achiev'd Conquests, in the time of **Domitian*, *Agricola*, giving Terror to all their Neighbouring Nations.

But, when that Mighty Empire became subject to Fate, and this Nation, by the continual supply of Men which went out of this Kingdom to supply their Contingencies, of the *Roman* Legions, became at last so feeble, as to render us a Prey to the *Saxons*; which Empire having settled Peace with their *Danish* Neighbours, and quieted their own Home-bred Quarrels, and having reduced the several petty Kingdoms of their Heptarchy, under one Diadem, they forgot not to assume their ancient Right, as did the most noble *Edgar*, who kept no less than four Thousand Sail of Ships to vindicate, and assertain his Dominion, giving Protection to the Peaceable, and Punishment to the Offenders: Nor did his Successors, *Etheldred*, *Canutus*, *Edmond*, and others that followed, of the *Danish* Race, any ways wave, relinquish, or lose that Royalty, but obsequiously maintain'd it down to *William* the Conquerour, and from him since, some upwards of Twelve Hundred Years, in a quiet, and peaceable Possession.

To mention the Antient Commissions and Exercise of this Sovereign Power, safe Conducts, Writs of Seizure, Arrests, Records of Grants, and Licenses to pass through the Sea, and to Fish, Parliament Rolls, and the like, (s) would make a Volume; In a Word, if Right of Prescription, Succession of Inheritance, Continual Claim, Matter of Fact, Consent of History, and Confessions, even from the Mouths and Pens of our Adversaries, be of any Moment to the Asserting a Title, Her Sacred Majesty may be Presumed to have as good a Title to that, as the most Absolute Monarch this Day on

(s) So fully proved by Mr. Selden, that it would be impertinent in this Treatise to rehearse the Vouchers. Vide Jac. Usser. Armach. Episc. Hibernie. Syllog. D. 121. 163.

Earth, hath to whatever he can Claim or doth Enjoy.

Now the Duty of the Flag is no more but a Consecutive Acknowledgment, that the Right and Dominion of the *British* Seas, (not as a bare Honourary Salute, or Ceremony, but as an Absolute Sign of the Right and Sovereignty of those Seas, where they are obliged to strike Sail) are in him to whose Flag they Vail, and pay that Duty too; and in substance, is no more but that the Kings or Queens grants a General License for Ships to pass through their Seas, that are their Friends and Allies, paying that Obedience and Duty, like those Services when Lords grants out Estates, reserving a Rose, or a Pepper Corn; the Value of which is not regarded, but the Remembrance and Acknowledging their Benefactors.

That this hath been an Antient Custom, always waiting on that Sovereignty, appears by that memorable Record upward of 400 Years since made, where it is Declared by King *John*, what the Antient Custom was, in these Words: (t) *That if a Lieutenant in any Voyage, being ordained by Common Council of the Kingdom, do Encounter upon the Sea, any Ships or Vessels, Laden or Unladen, that will not Strike and Veil their Bonnets at the Commandment of the Lieutenant of the King, but will Fight against them of the Fleet; that if they can be Taken, they be reputed as Enemies, and their Ships, Vessels and Goods, taken and forfeited, as the Goods of Enemies, altho' the Masters or Possessors of the same, would come afterwards and alledge, that they are the Ships, Vessels, and Goods of those that are Friends to our Lord the King, and that the Common People in the same, be Chastised by Imprisonment of their Bodies, for their Rebellion, by Discretion.*

Thus this Immemorial Custom, was by that Prudent Prince Affirmed; the which hath been always before, and ever since (without Interruption by all Nations) constantly paid to the Ships of War, bearing the Royal Standard; and other of his Majesties Ships, wearing his Colours and Ensigns of Service; he knowing that undoubted Maxim of State, That Kingdoms are Preserved by Reputation, which is as well their

(t) *Inter Leges Marinas sub fine Anni Regni Regis Johannis Secundi, Intitulæ, Le Ordinanciel Hastings.*

strongest Support in Peace, as their chiefest Safety in time of War; when once they grow Despised, they are either subject to Foreign Invasions, or Domestick Troubles, the which (if possible) that Prince would have prevented, but he lived when those Cœlestial Bodies which Govern the Actions of Princes, seemed to Frown on the most Virtuous and Wife.

And as there is no Nation in the World more Tender and Jealous of their Honour than the *English*, so none more impatiently Tolerate the Diminution thereof. Hence it was that in all Treaties before any thing was Ascertained, the Dominion of the Seas, and Striking the Topsail, was always first provided for.

In the Year 1653, after the *Hollanders* had measured the length of their Swords with those of this Nation, and being sensible of the Odds, had by their four Ambassadors most humbly besought Peace, this very Duty of the Flag, was Demanded by the 15th Article, in these Words:

(u) That the Ships and Vessels of the said united Provinces, as well Men of War, as others, be they in single Ships or in Fleets meeting at Sea with any Ships of this State of England, or in their Service, and wearing the Flag, shall strike their Flag and lower their Topsail, until they be passed by, and shall likewise submit themselves to be Visited, if thereto required, and perform all other Respects due to the said Common Wealth of England, to whom the Dominion and Sovereignty of the British Seas belong, by an Immemorial Prescription and Possession, transmitted to us, and supposed to be unquestionable by all Princes.

Novem. 15. 1653.

This was so peremptorily Demanded, that without the Solemn Acknowledgment of the Sovereignty over the *British* Seas, there was no Peace to be had; that as to the Acknowledging the Sovereignty of the Flag, they were willing to

(u) Note, That Cromwell was the first that ever Inserted any such Article into any Treaty, our Right and Dominion over the British Seas having never been disputed before.

continue the Antient Custom, but that of Visiting, was somewhat hard, 'tis true, the latter Clause was wav'd by the Usurper, for Reasons standing with his private Interest; but the first was (x) (with the Addition of these Words, *In such manner as the same hath been formerly Observed in any times whatsoever*) made Absolute by the 13th Article between him and that Republick, in these Words: *Item quod Naves & Navicularum federatarum Provinciarum, tam bellica & ad Hostium vim propulsandam instructa, quam alia, quae alicui e Navibus bellicae hujus Republicae in maribus Britannicis obviam dederint vexillum suum e mali vertice detrahent, & supremum velum demittent, eo modo, quo ullis retro temporibus, sub quocunque anteriori regimine unquam observatum fuit.*

And from thence it was afterwards Transcribed into the 10th Article at *Whitehall*, (y) and afterwards into the 19th Article at *Breda*, and from thence to the 6th Article at *Westminster*, and that Clause of Searching each others Ships made Reciprocate by the 5th Article made in the *Marine Treaty* at *London*, (z) but that extends not to Ships of War, but only to the Ships of Subjects.

By the *British Seas* in the Article about the Flag, are meant the four Seas, and not the Channel only; for in the 16th Article, they did express what was meant by the *British Seas*. (a)

That the Inhabitants and Subjects of the United Provinces, may with their Ships and Vessels furnished as Merchant Men, freely use their Navigation, Sail, Pass, and Re-pass in the Seas of Great Britain and Ireland, and the Isles within the same, commonly called the *British Seas* without any Wrong or Injury to be offer'd them by the Ships or People of this Common Wealth; but on the contrary shall be Treated with all Love and Friendly Offices, and may likewise with their Men of War, (not exceeding such a Number as shall be Agreed upon) Sail, Pass, and Re-pass through the said Seas, to and from the Countries and and Ports of them; but in Case the said States-General shall have Occasion to pass thro'

(x) *Leo ab Aitzma. fol. 847.* (y) *Sept. 14. 1662.* (z) *Decem. 18. 1674. S. P.* (a) But now by the last Treaty at Westminster, the Dominion is Ascertained from Cape Finistire to the middle point of the Land Van Statlen in Norway. *Feb. 9. 1674.*

the Seas with a greater Number of Men of War, they shall give three Months Notice of their Intention to the Commonwealth, and obtain their Consent for the Passing such a Fleet, (b) for preventing of Jealousy and Misunderstanding betwixt the States, by Means thereof.

The first Part of this Article, doth plainly set out the Extent of the *British* Seas, and that it is not the bare Channel alone that Comprehends the same, but the four Seas; and the same is farther explained in the great Case of Constables, (c) where the Dominion of the Queen (before the Union) as to the Seas, did Extend Mid-way between *England* and *Spain*, but entirely between *England* and *France*, the *French* never had any Right or Claim to the *British* Seas.

For in the Wars between *Edward* the First and *Philip* the Fair, all Commerce on both sides being Agreed to be Free, so that to all Merchants whatsoever, there should be *Inducia*, (d) which were called *sufferantia Guerra*; and Judges on both sides, were appointed to take Cognizance of all Things done against these Truces, and should Exercise *Judicium Secundum Legem, Mercatoriam & formam sufferantia*, it was contained in the first Provision of that League, That they should Defend each others Right against all others.

And as to the second Part of the Articles, of giving Notice, it was but an Act of common Prudence; their late unexpected Visit, which they then gave, put the *English* to some Surprise, but they Facing the *Hollanders*, soon made them know that they were as Capable of Beating them Home, as they were then Daring of coming out; and were not to be Braved out of a Dominion and Right, which their Ancestors had with so much Glory and Honour Asserted: This shews that the Nation ought to take Care to stand upon their Guard in Times of Peace, so well as War, that they may not be Surprized by their Insulting and Encroaching Neighbours, when any Opportunity offers.

(e) By the Articles of the Offensive and Defensive League between *France* and the United *Netherlands*, It was Agreed,

(b) Article 16. in the Treaty of, Novem. 16. 1653. (c) Hill. 29. Eliz. B. R. the Queen and Sir John Constable's Case. Leonard 3. part. 72. (d) Seld. de Dem. Maris l. 2. c. 14, 27, 28. (e) Anno. 1635.

That if at any time the *Dutch Fleet* (which were to scour the *French Coasts* in the *Mediterranean* from Pirates) should at any time meet the *French*, (f) the Admiral of the *Dutch* was to strike his Flag, and lower his Topsail, at his first approach to the *French Fleet*, and to Salute the Admiral of *France* with Guns, who was to return the said Salute by Guns also, as was usual when the *Dutch* and *English* did meet.

Only in this the Right of the Flag of *England* differs from that claimed by the *French*; for if there had been a Failure on the part of the *Dutch*, of paying that Respect to the *French*, the same would have amounted to no more, but a breach of the League, and the not striking to the Queen of *England's* Flag, is open Rebellion, and the Articles doth so signify; for it is there mentioned as a Right and Sovereignty, not a bare Dominion only, like that of *Jerusalem* to the King of *Spain*.

'Tis very true, the refusing is an absolute annulling of the Treaty; for, though in the League with *England*, it is mentioned, yet there is nothing of any Concession granted by the same, but only recogniz'd there, as a Fundamental of the Crown and Dignity of the Kings and Queens of *England*; nor was the same ever so much as mentioned in any former Treaty, before *Oliver's* time, as we have already said; but it was always a Clause in the Instructions of the Admiral, and Commanders under him.

That in case they met with any Ships whatsoever on the *British Seas*, that refused to strike Sail at the Command of the King's, or the Queen's Admiral, or their Lieutenants, that then they should repute them Enemies, (without expecting any declared War) and destroy them and their Ships, or otherwise seize, and confiscate their Ships, and Goods, and these Instructions amongst others, continue to this Day. The like are given by the *Venetians* to their Captains, in reference to the *Adriatick Sea*, and by several other Princes.

The Duty of the Flag, that hath been so constantly paid to our Ancestors, is of such Advantage to the continuing the Renown of this Nation, that it serveth to Imprint new Reverence in Foreigners that render it, and adds new Cou-

(f) *Leo ab Aeterna Hist. Tract. pacis Belg. p. 177. Edit. Lugduni Batavorum 1634.*

rage to our Seamen that exact it; and since we know how much it imports a State, that it be Reverenc'd abroad, and that Repute is the Principal Support of any Government; it equally influenceth the Subjects at Home, and Forreigners abroad.

And, as there is no Nation in the World more Brave before the Face of an Enemy than the *English*, with what Resentment, would not only the more Generous and Noble, but even the Popular, and Vulgar Seamen detect this, or any succeeding Age, should they remit or lose that Regality, those Acknowledgments, which their Predecessors with so much Glory asserted, and the Neglect thereof was always Punished as open Rebellion: The Dignity of such an Action being sufficient to Inflamm the whole Nation.

The Consideration of which, besides his Sacred Majesty King *Charles* the Second's Royal Inclination to the same, and his evident Testimony never to abandon a Ceremony of so high a Concernment, witness the exposing the one half of his Heart, the (Late King *James*) Duke of *Tork* in asserting the same with such Fleets in such Battels, that no Age or Time before could shew a Memorial of the like, are Causes sufficient to Create in us new Flames of Love, and Courage to vindicate Her present Majesty's Rights against Her Enemies.

Private Persons move in another Sphere, and act by other Rules than Sovereign Powers; the regard of Credit with them, oftentimes yield to those of Utility, or other Motives; the Publick receives little Injury thereby, nor is their Wisdom questioned for such Punctilio's, if they relinquish them for other Emoluments, or Peace sake; but Sovereigns cannot so transact the Subjects, their People participate in their Honour and Indignities; they have a Property, a direct Right in the former; (g) Sovereigns cannot alienate, or suffer their Honours to be Impaired, because it is not really theirs, it appertains to the Nation universally, and they are all effectually injured by such Transactions, either because the Dignity really extends to them, (b) or because the Go-

(g) It is no Policy to attempt the change of Old Customs and Usages, even Errors and Abuses are upon such an account Legally tolerat'd.

(b) Vide the Earl of Shaftsbury's Speech to the Parliam:nt, 1672.

vernment and Authority is thereupon weakened and prejudiced, which is the greatest of Civil Detriments that can befall a People, though ordinarily they are not aware of it.

As Prudence doth thus distinguish betwixt publick and private Persons, so doth Charity it self; for though the Gospel-Precepts do oblige particular Persons to bear Injuries and Contumelies with Patience, and to surrender even the Coat so well as the Cloak; yet is not this so to be Construed, as if private Christians were to yield up their Civil Rights to every Insolent one that would encroach upon, and usurp them, or that they were to deprive themselves of those Reparations, which the Law and Government affords them; neither is it so to be understood, as if the Civil Magistrate in Christendom might not secure himself of that Obedience and Reverence, which is due to his Dignity, but bear the Sword in vain.

This being the Value which this Nation did always place upon the Right of the Flag, the which they never did regard, not only as a Civility and Respect, but as a Principal Testimony of the unquestionable Right of this Nation, to the Dominion and Superiority of the adjacent Seas, acknowledged by all the Neighbour Princes, and States of *Europe*; and must be paid, and acknowledged by all the Princes, and States in the World, that shall be, or pass the same.

The Effects of this Dominion Universal, or Sovereignty which accrue to a Prince, are these,

1. Not only the Regality of the Fishing for Pearl, Coral, Amber, &c. But likewise the advantage of all Fish Royal, as Whales, Sturgeon; (i) and not only those, but also the Direction, and Disposal of all other Fish, according as they shall seem to deserve the regards of the Publick; as in *Spain*, *Portugal*, &c. is used.

2. The prescribing of Laws, and Rules for Navigation, not only to His, or Her own Subjects, but unto other

(i) *Ivan Fallacios de Dom. Maris*, lib. 1. c. 11. *Sir Hen Constable's Case*. Cole p 5. fol. 107.

Strangers, whether they be Princes of equal Strength and Dignity with himself, or any way Inferiour. Thus the *Romans* did confine the *Carthaginians* to equip out no Fleets, and forbad *Antiochus* to build any more than twelve Ships of War: And if Tradition informs me Right, Queen *Elizabeth* interdicted the *French King*, and the *Hollanders*, to build any other, or more (k) Ships of War than what they had then without Her Leave first obtained.

The *Athenians* prohibited all *Median* Ships of War, to come within their Seas, and prescribed to the *Lacedemonians* with what manner of Ships they should sail; All Histories are full of such Precedents which Princes have Enacted, either upon Agreements, enforced on the Conquered, or Capitulations betwixt them and others, their Equals, or Inferiours, for Mutual Conveniences.

3. The Power (l) of imposing Customs, Gabels, and Taxes, upon those that Navigate in their Seas, or otherwise, fish therein, which they do upon several Rightful Claims, as protecting them from Pirates, and all other Acts of Hostilities, or assisting them with Lights, and Sea-Marks, for which Advantages, common Equity obligeth those that receive Benefit thereby, to repay it with some Acknowledgment, which ought to be proportioned according to the Favour received, and the Expence the Prince is at to continue it unto them: And this was Confirmed by our Saviour, *That it was Lawful to Pay Tribute unto Caesar.*

4. As it is incumbent on a Prince, and Duty to Execute Justice in his Kingdoms by Land, so the Sea being His, or Her Territory, it is requisite, and a necessary Effect of His, or Her Dominion, that they cause Justice to be Administered in case of Maritime Delinquences.

5. And in case any Ships Navigate in those Seas, they shall salute His, or Her Floating Castles, though Ships of War, by lowering their Top-sails, and striking the Flag, (those

(k) *Gro de jure Belli, lib. 2. 3.* (l) *Joan Falatius ubi supra, Julius Paulus de Dom. Maris. Adriatici, 13 H. 4. fol. 14, Coke 5. part. fol. 63. Case Chamberlain of London.*

are the most usual Causes) in like manner, as they do His or Her Forts upon Land; by which sort of Submission they are put in Remembrance, that they are come into a Territory, wherein they are to own a Sovereign Power, and Jurisdiction, and receive Protection from it.

These are the proper Effects of a real and absolute Sovereignty over the Seas, which how they are possessed of by the *Venetians*, this ensuing Account will declare.

The Gulph of *Venice* is nothing else but a large Bay, or in-let of the Sea, which entring in betwixt two Lands, and severing them for many Miles continuance, in the end, receives a stop, or Interruption of further Passage, by an opposite Shoar which joins both the opposite Shoars together: It is called the Gulph of *Venice*, situate upon certain broken Islands, near unto the bottom thereof: It is also called the *Adriatick* Sea, from the ancient City *Adria*, not lying far distant from the former; from the entrance thereof unto the bottom; it contains about six Hundred *Italian* Miles over, in others but Eighty, and in most, one Hundred.

The South-west Shoar is bounded with the Provinces of *Puglia*, and *Abruzzo*, in the Kingdom of *Naples*; the Marquisate of *Ancona*, and *Ramagnia*, in the Popes's State, and the Marquisate *Trevisana* in the *Venetian* State. The North part of it, or bottom, hath *Friulli* for its bounds; the North-East is limited by *Istria*, *Dalmatia*, *Albania*, and *Epirus*; whereof *Istria* doth not so entirely belong to the *Venetians*, but that the Emperor, as Arch-Duke of *Gratz*, doth possess several Maritim Towns therein; in *Dalmatia*, saving *Zara*, *Spalato*, and *Catara*, they have nothing of Importance; the rest belonging to *Ragusa*, and the *Turks*: In *Albania*, and *Epirus*, they possess nothing at all, it being intirely the *Turk's*; so that he who shall Examine the Circuit of the Sea, it doth contain about twelve Hundred Miles, but shall find the Shores of the *Venetian* Signiory not to take two Hundred of them, (o) omitting some scattered Towns, and dispersed Islands lying on the *Turkish* side of the *Adriatick* Shore.

(o) 'Tis true of late by the Great Conduct, and good Fortune of the Generals, *Moroffiai*, and *Coningsmark*, they have now got *Alba Regalis*, and almost the principal parts of the *Morra*.

For the securing hereof from Depredations of Pirates, and the pretences of divers potent Princes, as the Pope, Emperour, and King of *Spain*, and the Great *Turk*, who each of them have large Territories lying thereupon; also to cause all Ships that Navigate the same, to go to *Venice*, and there to pay Custom and other Duties; the Republick maintains continually in Action, a great number of Ships, Gallies, Galliot, whereto also they add more as there shall be occasion, whereof some lie about the bottom of the Gulph of *Istria*, others about the Islands of *Dalmatia*, to clear those parts of Pirates, who much Infested those Seas.

Those Seas, and others, and those of most Force have their Station in the Islands of *Corfu* and *Standia*, in the first of which, commonly Resides the Captain of the Gulph, whose Office is to secure the Navigation of the Gulph, and not only from the *Corsaires*, but to provide that neither the Gallies nor Ships of the Pope, Emperour, King of *Spain*, or the Grand *Seignior* do so much as enter the same, without Permission of the *Signory*, and upon such Conditions as best please them, which they are careful to Effect; that in the Year 1638.

The *Turkish* Fleet entring the Gulph without Licence, was Assailed by the *Venetians* General, who sunk divers of their Vessels, and Compelling the rest to fly into *Valona*; he held them their Besieged, (p) altho' the same City and Port, where it stands, be under the Jurisdiction of the Grand *Seignior*; (and notwithstanding that a great and dangerous War was likely to ensue thereupon, betwixt the Grand *Seignior* and the Republick, because the *Venetian* General being not content to have Chased them into their Port) did moreover than that, sink their Vessels, and Landing his Men, slew divers of their Marriners, who had escaped his Fury at Sea, yet after that a very Honourable Peace was Concluded again betwixt them, wherein amongst other things it was Agreed, That it should be Lawful for the *Venetians*, as often as any *Turkish* Vessels did without Licence enter the Gulph, to Sieze upon them by Force, if they would not otherwise obey; and that it should likewise be Lawful for them so to do, within any

(p) Baptista Nani his History of Venice, lib. 11. fol. 446, 447, 448.

Haven, or under any Fort of the Grand Seignior's, bordering on any part of the *Venetian* Gulph.

So Jealous has this Republick been in all times to permit any to Sail the Gulph, that in the Year 1630, (as *Palatinus* relates, That *Mary*, Sister to the King of *Spain*, being Espoused to the Emperour's Son *Ferdinand*, and King of *Hungary*, the *Spaniards* design'd to Transport Her from *Naples* in a Fleet of their own; the *Venetians* suspected they had an Intention thereby to Intrench upon, and privately to Undermine (by this specious Pretence) that Dominion of the Sea which the *Seignory* had continued inviolate time out of mind; and that they took this opportunity when *Venice* was involved with a War Abroad, and infested with the Plague at Home, and therefore not in a Condition to Oppose their Progress and Design.

The *Spanish* Ambassador acquainted the State of *Venice* that his Master's Fleet was to Convey the Queen of *Hungary*, being his Sister, to *Tristi*; The Duke replied, Her Majesty should not pass but in the Gallies of the Republick; the *Spaniard* replied thereat, pretending they were Infected with the Plague; the Senate being Consulted, came to this Resolution, That the Sister of His Catholick Majesty should not be Transported to *Tristi*, any other way than by Embarquing in the *Venetian* Gallies, according to the usual Manner of the Gulph; and that if the Ambassador would Acquiesce therein, Her Majesty should be Attended, and used with that Respect and Reverence which became Her Quality; but if she proceeded any other way, the Republick would by force Assert their proper Right, and Attacque the *Spanish* Navy, as if they were Enemies, and in Hostile manner Invade them.

Whereupon the *Spaniards* was Compelled to Desire the Favour of them to Transport the Queen in their Gallies; which *Antonio Pisano*, did perform with much State and Ceremony; and the Courtesie was Acknowledged by the Courts of the Emperour and *Spain*.

(q) The *Maritim* Dominion of the Sea by the Laws of *England*, were always Accounted the four Seas, such as are

(q) *Selden Mare claus* l. 2. cap. 24. *Fitzherb. proclation.* 112. 46. *Seld. ibid.* 32. *Coke 4. Instit. fol.* 142.

Born thereon, are not Aliens, and to be within them is to be within the Legeance of the Kings or Queens Realm of *England*, and 'tis by Vertue and Force of this Right, that the *British* Nation, can drive on their own Commerce, Navigate themselves, and permit others securely to Trade with them.

It is true the *Hollanders* have presumed some Years since, to Violate the security of the *British* Seas, by Attacking the Allies of *England*, not only within the *British* Seas, but in her Harbours, attempting to pursue a *French* Vessel up almost to *London*, and having more than once Attack'd the *Spanish* Fleet in her Roads, (r) under the Protection of her Castles, and that against all the Laws of Nations and the Peace of Ports, in which, for that time they seem'd to Cloud the Honour of the Nation, but Satisfaction for Indignities of that Nature, tho' slow, yet are sure, and should such as those been longer Tolerated,

Our Beloved *BRITANNIA*, must come by a Confederation of the States, to (take or) Beg Pass-ports for her Commerce; but the Royal Martyr's Goodness was no longer to be trod on, his Heart and his Cause were Good, and tho' those unhappy Times (which were crooked to whatsoever seemed straight) did hinder the Accomplishments of his entire Intention for Satisfaction, yet those whom the Just God of Heaven was pleas'd for a Time to permit, (as a Punishment to this Nation) to Rule, did in the fulfilling; for so soon as he was pleas'd to stay the Fury of the intestine Sword, their Hearts took Fire from the Flames that had formerly been kindled in his Royal Breast, and having prepared a Fleet in order to the treating like Soldiers with Swords in their Hands, they were in the like manner Assaulted in their Territories in the *Downs*, but the (s) *Dutch* found then what it was (tho' two for one) to Assault a *British* Lyon, in the Mouth of his Den) intending, if possible, to have Destroy'd the *English* Power, but were frustrated in their Design, being severely Beaten Home to their Coasts; and afterwards those who had got the *English* Sword in their Hands, began to con-

(r) The Fight of the Dutch with the Spanish Fleet in the Downs. Anno 1639.

(s) Scilicet hoc factum Hollandorum est contra Jusitiam omnem pro certo, & contra reverentiam quæ patribus & Territoriis debetur alienis. Alb. Gent. Hispan. Advocat. lib. 1. cap. 14.

sider that the Victory must be pursued, as a Season fit to Assert and Vindicate the Ancient Right to the Sovereignty of the Sea : And then those People thinking that the odds before was not enough to destroy the *British* Fleet, they equipt out a Fleet far more great, and numerous than the *English*, under the Admirals, *Van Trump*, *De-Witt*, the two *Eversons*, and *De Ruyter*, but they suffered the same Fate as the former ; about Thirty Four of their Ships on the Coast of *Flanders* were Sunk, Burnt, and Taken, and the rest chased home to their Ports, and not long after, followed a total Defeat of their Naval Forces, accompanied with the Death of *Van Trump*, by the *English*, under the Admirals, *Blake*, and *Monk*, who had sunk and fired about thirty Sail more of their Men of War; (no Quarter being given till the end of the Battle) six Captains, and about a Thousand Men taken Prisoners, and about six Thousand slain ; of their Presumptions since, (amongst other things) in the denying the Duty of the Flag, and what Punishments and Check they have had for the same, is already mentioned in the Reign of King *Charles* the Second, to what Conditions they have been reduced, and made to acknowledge the Dominion, and Superiority to the Crown of *England*, (under which their Ancestors humbly (*) besought the acceptance of the Sovereignty of the Netherlands might be annexed, and Protected,) is now fresh in our Memories ; so high, and of so great Importance is this Dominion and Sovereignty, signified by the Duty of the Flag, in the *British* and Circumjacent Seas.

June 2. 3.

About the
8th of
Aug. 1653

(*) Offered to Queen Elizabeth. *Cete-cy entre autres merite unie consideration speciale, que la conjunction desdits pays de Hollande, Zelande, Frize, & des Villes, de l'Escluz, & Ostende en Flanders, avec le Royaumes de Vostre Majeste, emporte & soit l'Empire de la Grande Mer Oceane, & par consequent une assurance & Felicite perpetuelle pour les Sujets vostre Serenissime Majeste.* John Stow's Supplement to Hollingshead. An. Dom. 1585. Vide Sir Walter Raleigh, lib. 5. cap. 2. para. 2. 3.

The End of the First Part.

G

Of

Of the Naval Military Part.

PART II.

SECT. I.

AN Excellent General, is an Evidence of the Fortune of a Prince, and the Instrument that occasions the Happiness of a Kingdom; and therefore when God makes Choice of a Person to Repair the Disorders of the World, or the Good of a particular State, then is his Care shewed in furnishing him with necessary Principles to Undertake great Matters; the Thoughts are put into his Soul by that Eternal Commander, to Execute, He Troubles and Confounds his Enemies, and leads him as by the Hand to Victories and Triumphs: And one of the greatest Expedients whereof he serves himself for this Purpose, is to raise unto him Excellent Men, both in Courage and Conduct, to whom he Communicates his Care, to bear the Weight of Affairs.

Alexander had never Conquer'd *Asia*, or made the *Indies* to Tremble, but for *Ephestion*, *Parmenio* and *Clitus*; *Cesar* gained many Battels by his Lieutenants, and the fairest Empire of the World, which Ambition, and the Evil of the Times, had divided into three parts, was reduced under the Dominion of *Augustus*, by the Valour of *Agrippa*; *Justinian* Triumphed o-

ver *Perſa*, and Deſtroy'd the *Vandals* in *Africa*, and the *Goths* in *Italy*, by the Aid of *Belliſarius* and *Narcette*: And it is moſt certain, That Noble Commanders are the Glory of their Princes, and Happineſs of the People; on the other hand, Baſe, Cowardly and Treacherous Generals are the Shame of the One, and the Diſpair of the Other.

SECT. II. Hence it is that Soldiers and Mariners draw their lines of Love even to the Mouths of Cannons with a good General; but Mutiny and Hate to the main Yard End, againſt one that is bad, for to Obey them when they do them Hurt, when they Inſult and are Cruel in cold Blood, and Baſe Cowardly, or Treacherous in Battle, is a ſad Neceſſity for them, and a hard Eſſay of Patience, yet muſt they be Obey'd, and the Soldiers nor Mariners muſt not Rebel, or Re- pine, but ſubmit till their Sovereign redreſſes their Miſfor- tunes.

SECT. III. Princes ought not to liſten too much to the Mutinous Demands of the Crew, or any others, whoſe Ambition watches their Ruine, whereby to Conceive Anger againſt their Commanders; for it is eaſier to Purge the Choller and Diſcontent that is got under the Hatches, than to provide Commanders of Courage, Conduct, and Faithfulneſs to Go- vern their Expeditions.

Belliſarius, that moſt Excellent Commander, who had no o- ther Crime than his Reputation, and was not Culpable, but that he was Powerful, having Conquer'd *Perſia*, ſubdued *Afri- ca*, humbled the *Goths* in *Italy*, led Kings in Triumph, and made appear to *Conſtantinople* ſomewhat of old *Rome*, an Idea of the Antient Splendor of that proud Republick; and after all theſe eminent Services, this Great Perſon is Abandoned to Envy; a Suſpicion ill Grounded, deſtroys the (a) Value of ſo many Services, and a ſimple Jealouſy of State, wipes them out of the Memory of his Prince: But he reſts not there, for

(a) Vide Sir Walter Raleigh, l. 5. c. 6. And in one whole Paragraph, the Ingrati- tude that hath been ſhewn by Princes to many Brave and Noble Generals and Com- manders, there particularly Enumerated.

the Demeanor had been too gentle, if Cruelty had not been added to Ingratitude; they Deprive him of all his Honours, they Rob him of all his Fortunes, they take from him the use of the Light, they put out his Eyes, and reduce him to the Company of Rogues, and the Miserable *Bellisarius* craves Charity: Even that *Bellisarius*, the Chiefest General of his Age, and the Greatest Ornament of the Empire, who after so many Victories and Conquests, accompanied with so high and clear a Virtue, and in the midst of *Christendom*, was Reduced to so abject and low a Misery.

Nor was this Cruel and Hasty Reckoning of *Justinian* let slip, without a Cruel Payment; for *Narcette*, who was as well a Successor in Merit, as in Authority to *Bellisarius*, having Notice of a Disdain conceived against him, upon a singular Complaint, resolved not to expose himself a Sacrifice to their Malice; and therefore thinking it better to shake off the Yoke, than stay to be Oppressed, soon spoiled the Affairs of *Justinian*; for the *Goths* Revolted, and Fortune would not forbear to be of the Party which *Narcette* followed, nor to find the *Barbarian*, where so Brave a Captain was Engaged.

❧ S E C T. IV. Therefore not one, or many Faults are to be listened to, against Commanders; but patiently heard and redressed, not to Disgrace or Lose them: for such having committed a Fault, yet being Admonished by Love, may endeavour by future Services to make Recompence by some Noble Exploit; but Disgraced, become Instruments often of Danger and Ruine to their Superiors.

For Example, Captain *Tobias*, an *Englishman*, in King *Charles* the Second's Reign, being disgraced by the Earl of *Sandwich*, swore to be reveng'd on him, and so he was; for upon this Disgust he goes over to *Holland*, and takes an Oath of Fidelity to the States, and enters into their Service by Sea: The Earl of *Sandwich* was then Admiral of the Blue Squadron on Board the (*Royal*, or) *Great James*, and in the Engagement, Captain *Tobias* bore up to him, and burnt that famous Ship, and that brave Commander the Earl of *Sandwich*, and most of his Men Perished. This was in the Year 1672, or 1673.

Soldiers and Marriners Faults, are are either proper to themselves, or common to others: Those are common with others, which other Men fall into, and are Corrected with
the

the like ordinary Proceedings, as other Crimes of like nature, Man-slaughter, Theft, Adultery, and such like.

Those are proper, which do purely appertain to the Naval Military Part, and are punished by some unusual or extraordinary Punishment: As are these, not to appear at the over-muster, or the over-calling of the Ship to serve under him, he ought not to serve, to strowl or to wander long from on Ship-board, although he return of his own accord, to forsake his Fleet, Squadron, or Ship, Captain, Commander, or Officer; to leave his standing, to fly over to the Enemy; to betray the Fleet, Squadron, or Ship; to be disobedient to his Superiour Officer's Command; or in his Watch to make a Mutiny, to fly first out of the Battle, and the like.

S E C T. V. The Punishment wherewith Soldiers and Mariners are Corrected, are those Corporeal Punishments, or Pecuniary Mult, or Injunction of some Service to be done, or a Motion, and removing out of their Places, or turning them away with Shame. By Capital Punishment is understood for the most part, Death; or sometimes Keel-haul'd, or Strappadoed; and sometimes is remitted to a Whipping at the Capstern, or the Jeers, unless happily pardon'd, either for the unskilfulness of the Mariner or Soldier, or the Mutiny of the Crew, or Company, being thereto drawn by Wine, &c. All which is left to the discretion of the Lord Admiral, and others the Supreme Commanders or Captains.

S E C T. VI. It's highly necessary in Fleets, and Armies, that all manner of Impiety should be Prohibited, and Punished, that God might Bless them in their Expeditions. This was the Reason, supposed by Historians, that God gave the Success to *William* the Conqueror against King *Harold*; the latter depending on his great Numbers of Men, having above seventy Thousand in his Army, and were careless, and negligent in their Camp, and spent their time in Rioting and Drunkenness, &c. And the former but five and thirty Thousand Men, but kept such a severe Discipline over them, that they were Daily at their Devotion, Praying to (and Praising of) God. (b) King *Charles* the Second made

(b) 13 Car. 2. cap. 3. A. 11.

an Order against all Vice in the Navy; as those that should give themselves up to Swearing, Cursing, Excretions, Drunkenness, Uncleaness, or other scandalous Actions, in derogation from God's Honour, and Corruption of Good Manners; and ordered Punishments, as Fines, Imprisonments, &c. to be inflicted on them by a Court-Martial, which is now reduced to the Forfeiture of a days Pay; but for Drunkenness the same extends not to Commanders, or other Commission, or Warrant-Officers, for they upon Conviction before the Admiral; shall be rendred incapable of Command.

SECT. VII. By the Laws of Nations, Spies may be sent to survey the Enemy's Force, Fleet, Station, or Squadron, and make Discovery of whatsoever may give Advantage to the Persons sending: So *Moses*, and *Josua* did in the Holy Land. On the other hand, being deprehended, they are to be put to Death, as *Appian* saith.

But whether it be Lawful to make Spies of the Subjects of that Prince with whom the War is begun, has been some Doubt: It is not Lawful for a Subject to Kill his King, nor to yield up his Ships of War, without Publick Council, nor to spoil his Fellow-Citizens; to these things it is not Lawful to tempt a Subject, that remains such; nor may any reply, That to him who perswades such to a wicked Act, that Act, as namely, betraying of his Enemy, is Lawful; no body doubts he may indeed do it, but not in that manner; but yet if a Subject will voluntarily desert his Prince, and Country, so he enter into a Correspondency with the Enemy of it, without any Impulse but his own Covetous and Revengeful Mind, sure it cannot be unlawful for the other to receive him. (c)

We receive a Fugitive by the Law of War, saith *Celsus*; that is, it is not against the Law of War to admit such, even as a Traitor, who having deserted the Enemy's part, Electeth ours; however, such Persons ought not to be rendred, unless expressly stipulated, (d) but ought to be Pardoned.

(c) It's before observed by *Capt. Tobias*. (d) As was in the Peace with Philip. The *Aetolians*, *Antiochus*. *Polybius in exerp. legat.* 11. 28. 35. *Menand. pro-rect. idem nos docet.*

By the Laws of *England*, If any Officer, Soldier, or Mariner, in actual Service, and in Pay in Her Majesty's Fleet, or any other Person in the same shall give, hold, or entertain any Intelligence to, or with any King, Prince, or State, being an Enemy to, or any Person in Rebellion against Her Majesty, Her Heirs and Successors, without Leave, or Authority from the Queen, Admiral, Vice-Admiral, or Officer in Chief of any Squadron, they are to suffer Death. (f)

Now, the bare Receipt of a Letter, or a Message from an Enemy, will not make a Man subject to the Penalty of this Article; and therefore the subsequent Article explains the precedent, in which it is provided, That if any inferior Officer, Mariner, or Soldier, shall receive any Letter, or Message from any King, Foreign Prince, State, or Potentate, being an Enemy, or in their behalf; and if such a Person doth not reveal the same within twelve Hours, having opportunity so to do, and acquaint the supreme Commander with it, such Person is to suffer Death; so likewise, if such superior Officer, or Mariner being acquainted therewith, by an inferior Officer, or Mariner, or other, or such superior Officer, Commander, or Mariner, in his own Person, receiving a Letter, or Message from any such (g) Enemy, or Rebel, and shall not in convenient time reveal the same to the Admiral, Vice-Admiral, or Commander of the Squadron, shall suffer the like pains of Death, or such Punishment as a Court-Marshal shall Inflict.

Now Spies are put to Death sometimes Justly, by those that manifestly have a just Cause of Warring against others; nor ought any Person to be disgusted at this, that such being taken, are Punished with Death, for that proceeds not, that they have offended against the Law of Nations, but from this, that by the same Law every thing is Lawful against an Enemy. And every one as it is, for his own Profit, determineth more Rigorously, or Gently: (b) But that Spies are both Lawful and Practicable, there is no question; for at this day, by the General Instructions of Fleets, there are always out of each Squadron, some Ships or Frigats appointed to make Discovery of the Enemy, and upon sight, to make Sail, and to stand with them, in order to take Cognizance of their Force,

(f) Stat. 13. Car. 2. cap. 3. Artic. 3. (g) Artic. 4. (b) Ad. Leg. Corn. de Sicariis pun.

as well Ships of War, as Fireships, and in what posture they lay; which being done, those detecting Frigats are to speak together, and to conclude on the Report they are to give, which done, they return to their respective Squadrons; such Ships in such Service are not obliged to Fight, especially, if the Enemy's Force exceeds them in number, or unless they shall have an apparent Advantage.

SECT. VIII. It is not Lawful for any, be he Friend, or Neuter, to relieve the Enemy, much less for a Soldier, or Mariner in Pay, to supply him that conspires the Destruction of my Country, is a Liberality not to be allowed of. (b) He is to be accounted an Enemy that supplies the Enemy with Necessaries for the War, and therefore by the Laws of the War, they are so esteem'd; and by the Laws of *England*, if any Person in the Fleet relieve an Enemy, or Rebel in time of War, with Mony, Victuals, Powder, Shot, Arms, Ammunition, or any other Supplies whatsoever, directly, or indirectly, he shall suffer Death.

*Procop.
Goth. 1.*

*Stat. 13.
cap. 2 esp.
9. Artic. 5.*

SECT. IX. Ships being assaulted, and taken as Prize, all the Papers, Charter-Parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found on Board, are to be duly preserved, and not torn, or made away; but the very Originals are to be sent up entirely, and without Fraud, to the Court of Admiralty, or to the Commander appointed for that purpose, in order to the Condemnation of the Prize, upon pain of the Captain's losing his share in the Prize, and also subject to such other punishment as a Court-Marshal shall think fit.

Artic. 6.

The Right of taking of Spoil, was approved of God within those natural Bounds, which have been already mentioned, as is further Evinced by the Appointment of God, in his Law; concerning the Acquisition of Empire over the Conquered, after refusal of Peace. *All the Spoil thereof thou shalt take unto thy self, and thou shalt Eat the Spoil of thine Enemies, which the Lord thy God giveth thee.* Hence it is, that things taken from the Enemy, become theirs that

Deut. 29.

(b) Bartol. *Leg. nulla. Leg. 2. de Judæus Calice.*

take them, by the Law of Nations, and such Acquisition is called Natural, for, not any Cause, but the naked Fact is considered. (i) And thence a Right ariseth; for the Dominion of things began from Natural Possession, and some Print of the same remains in the taking things in the Land, the Sea, and the Air; so likewise of things taken in War, all which becomes theirs, that first become Captors, (k) and from the Enemy are Judged to be taken away, those things also which are taken away from the Subjects of the Enemy.

Artic. 7. **S E C T. X.** But, though this gives a Right to the Captors, yet that must be understood to the Sovereign, or to the State that employed them, and not to themselves; but if they have any share of the Prize, the same proceeds by the Grant of the Sovereign, which may be enlarged, or abridged, as occasion serves; and therefore by the Laws of *England*, Ships of War, taken as Prize, the Goods, and all manner of Lading is to be preserved till Adjudication shall pass; but that it is to be understood, where the Ship voluntarily yields; but Ships whom they shall assault, and take in Fight as Prize, the Pillage of all manner of Goods, and Merchandizes, (other than Arms, Ammunition, Tackle, Furniture, or Stores of such Ships) as shall be found by the Captors, upon, or above the Gun-deck of the Ship, become theirs; but this is to be understood where such Prize may Lawfully be possessed; for there are times when such as these are not to be meddled with, and therefore, it is against the Rules of War in Fight, if some of the Enemy's Ships are there disabled; yet, those Ships that did disable them, if they are in a Condition to pursue the Enemy, cannot, during the Fight, take, possess, or burn such disabled Ships; and the Reason is, lest by so doing, some more Important Service be lost; but they are to wait for such Booty till the Flag Officers shall give Command for the same.

By Donation of her Majesty.

Fluzzali, King of *Algier*, in the famous Battle of *Lepanto*, having behaved himself very Valiantly against the Christians, so that he destroyed several of their Gallies, and others;

(i) *Leg. Nat. ult. B. de acq. rer. Dom. tit. de rer. Dom.* (k) *Qua armis qua sita essent, & partibelli jure non dimittenda.*

he took amongst the rest, the Gallies of *Pietro Buca* of *Corfa*, of the Prior of *Messina*, *Ludovica Tipico* of *Trabu*, and *Benedeto Soranza*, the which he towed after him, before the Battel was compleated; but that getting proved the Loss, both of the one, and the other; for the *Turks*, out of Covetousness of the Plunder, or otherwise thronging into them, occasioned their taking Fire, in which the Victors in those Flames became Victims, and after followed the Total Rout of the *Ottoman* Power.

Hist. Rel. pub. Venet. fol 127, 128,

S E C T. XI. It's almost impossible, but in Ships of War, which in these Days, carry such a considerable Force of Men, there will be some amongst them that have Heads of Knavery, and Fingers of Lime-twigs, not fearing to steal that from their Sovereign, which is applicable only for the Good of of their Country; and such sort of Night Wolves, when caught, are to be severely Punished; and therefore, to steal, or take away any Cables, Anchors, Sails, or any of the Ships Furniture, or any of the Powder, or Arms, or Ammunition of the Ship, subjects the Offender to the Pains of Death, or to such other Punishment as the quality of the Offence shall be found by a Court-Marshal, to deserve.

Artic. 8.

S E C T. XII. Foreign Ships, or Vessels, taken as Prize, without Fighting, none of the Captains, Masters, or Mariners being Foreigners, shall be stripped of their Cloaths, or in any sort beaten, pillaged, or evil intreated; and the Persons so offending being obliged to render double damage: This Law most expressly doth not extend to those, that obstinately shall maintain a Fight; for, most certain, by the Law of Arms, if the Ship be Boarded and taken, there remains no Restriction but that of Charity; and if a Ship shall persist in the Engagement to the last, and then yield to Mercy, there hath been some doubt (1) whether Quarter ought to be given to such, (for, they may ignorantly maintain with Courage a bad Cause;) but in Captives, and those that yield, or desire to yield, there is no Danger.

Artic. 9.

(1) *Cræsus* perswading not to give up *Lydia* to be pillaged by his Men: tells him, *Non meam inquit, non res meas diripies, nihil enim ad me jam ista appertinuit tua sunt, tua illa pudent.* *Herod. lib. Victor de Jure Belli. n. 49.*
 & 60 *D. & C. de Jure & facti Ignorantia.*

Now that such may be justly killed, there must be some Antecedent Crime; and that such a one as an equal Judge should think (m) worthy of Death, and so we see great severity shewed to the Captives, and those that have yielded, or their yielding on Condition of Life not excepted; if after they were convinc'd of the Injustice of the War, they had nevertheless persisted with Hatred or Cruelty; if they had blasted their Enemy's Name with unsufferable Disgraces; if they had violated their Faith, or any Right of Nations, as of Ambassadors, if they were Fugitives.

(n) But the Law of Nature admits not Falliation, except against the Individual Person that hath offended; nor doth it suffice, that the Enemies are by a Fiction conceiv'd to be, as it were, one Body; though otherwise, by the Laws of Nations, and by the Law of Arms, and at this day practised in all Fights, the small Frigats, Ketches, and Smacks, are to observe, and take notice of the Enemy's Fireships, and to watch their Motion, and to do their best to cut off their Boats; and generally the Persons found in them are to be put to Death, if taken, and the Vessel, if not taken, destroyed; and the reason why the Extremity of War is used to such, that by how much the Mischief is the greater by the Act of such Men, if Executed, by so much the Punishment is aggravated, if taken, and Quarter denied them by the Law of War.

Every Captain, or Commander, upon Signal, or Order of the Battel, or View, or Sight of any Ships of the Enemy, Pirate, or Rebel, or likelihood of Engagement, are to put all things in the Ship in a fit Posture for a Fight; as the breaking down the Cabbins, clearing the Ship of all things that may impede the Soldiers in the preserving the Ship, and themselves, and endamaging the Enemy; and every such Commander, or Captain, are in their own Persons, and according to their Place, to Hearten, and Encourage the Inferiour Officers, and Common Men, to fight Valiantly, and

(m) Princes indeed are Terrestrial Gods; but neither do the Gods bear the Prayers of Suppliants, except they be Just. (n) The Syracusians who are Accused, for that they slew the Wives and Children of Hycetas, because Hycetas had slain the Sister and Son of Dion. Plutarch, Timon, & Dion.

Couragiously, and not to behave themselves faintly, under the disgrace of being Cashiered.

SECT. XIII. And, if he or they yield to the Enemy, Pirate, or Rebel, or cry for Quarter, he, or they so doing, shall suffer the Pains of Death, or of such other Punishment as the Offence shall deserve. Artic. 16.

Now, the Soldiers, or Mariners have obliged themselves faithfully to serve in the Expedition of the Navy, yet that is to be understood, no farther than his, or their Power to do his utmost, in his, or their Quality; for, though the Obligation be taken in the strictest terms of undergoing Death, and Danger, yet it is to be supposed always Conditionally, as most Promises are, viz. If the Action, or Passion may be for that Prince's Advantage; and therefore, if the Fleet, or Squadron is beaten, and the Ships are disabled, and left, scarce without any to Defend them, now the Soldiers, or Mariners can do no more for their Prince, than die; which indeed, is to do nothing at all, but to cease for Ever from doing any thing, either for him, or themselves; in those straits therefore, it is not repugnant to their Oath, called (o) *Sacramentum Militare*, to ask Quarter, or strike; and having begg'd a New Life, and taken it, they are bound in a new and just Obligation of Fidelity to those whom they were bound to Kill few Hours before; neither can their Prince or General, by Vertue of their former Obligation to Him, Kill any in the Place where the Quarter was given; however, this Fidelity has not its inception from Time of taking Quarter, but when the Battle is over, and that time which is termed Cold Blood: For, without all Controversie, if a Ship be Boarded, and Quarter is given, yet, if while the Fight lasts, the Persons Captives, can by any Possibility recover their Ship, they may by the Law of Arms justly acquire the same. (p)

(o) *Lipsius de Mil. Rom. l. 2. dial. 6. & 4. And Polybius expresseth the Oath thus, Obtemperaturus sum & facturum, quicquid mandabitur ab Imperatoribus juxta vires, and such, saith he, were termed, Milites per Sacramentum.*

(p) *Sir Thomas Chicheley did so Aboard the Katherine, in Bello, Anno 1666. Inter Carolum Secundum & callos & Prapontentes Dominos Ordines Generalis Federati Belgii.*

And since Impunity is granted to such unfortunate Deserters, yet it must be apparently Evident, and fully proved, that they were reduced into a Condition beyond all Hope, in the Battel, and therefore the Article hath not positively declared Death only, but added such other Punishment as the Offence shall deserve, which Provision leaves the Action to be Judged, and Punished by a Council of War, who best know what is to be done in Cases of that Nature.

However, a Base, or Cowardly yielding, or crying Quarter, is to be Punished with Death, and that without Mercy.

S E C T. XIV. The obeying of Orders, hath in all Ages been in mighty Esteem; by the *Romans* it was a Law, noted by *Modestinus*, That whosoever obeyed not his Orders, should be Punished with Death; though the Matter succeeding well; he also was supposed not to have Obeyed, who, out of Order, without the Command of the General, entred into a Fight; for, if such Liberty were Lawful, either Stations would be deserted, or (Licence proceeding) the Army, Fleet, or Squadron would be engaged in unadvised Battels, which by all means is to be avoided. And by the *Eleventh Article*, every Captain, Commander and other Officer, Seaman, or Soldier, of any Ship, Frigat, or Vessel of War, are duly to obey the Commands of the Admiral, or other his Superiour Officer, or Commander of any Squadron, as well for the assaulting, or setting upon any Fleet, Squadron, or Ships of the Enemy, Pirate, or Rebels, or joining Battel with them, making Defence against them, as well other the Commands of the Admiral, or other his Superiour Commander; the disobeying of which, subjects him to the Pains of Death, or such other Punishment as the quality, or neglect of his Offence shall deserve.

Artic. 12. Every Captain, and all other Officers, Mariners or Soldiers, of every Ship, Frigat, or Vessel of War, shall not in time of any Fight, or Engagement, withdraw or keep back, but on the other hand Men are to come into Battle, and engage to their utmost endeavour, to take Fire, and kill, and endamage the Enemy, Pirate or Rebel, and Assist, and Relieve all other his Confederate Ships; and if they shall prove Cowards, they are to be dealt with, as Cowards ought, by

by the Law of Arms, which is to suffer Death, but Circumstances of things, may make Alteration of Matters, therefore there is added other Punishment, as the Circumstance of the Offence shall deserve, or a Court Marshal shall think fit.

By the word Captain the General, or Admiral, is not included, (r) but all Flag Officers, and others under them, are within the purview of the Statute, by the Denomination of the word Captain, &c. and the Reason wherefore, that such Commanders in Chief, are not within the Law, is, because the Weapon of a General is his Truncheon, but all other Officers, is their Sword, a General is only to Command, and the rest to Execute, for in the latter there is danger of one Man's Life, but in the first is the hazard of all; therefore by the Law of Arms, no General, or Admiral in Chief, ought to expose their Persons to apparent Peril, but in Case of a General overthrow, and manifest Defeat. (s)

Peter Capponi, the Famous General for the Florentines, besieging Soiana, and encamping on the River Casina (t), being in a place of Danger, extremely industrious about planting a Battery, was shot with a Harquebuss, immediately upon which the Siege was raised; yet on the other hand, let it be examined whether any famous Battle has been obtain'd, and the same was not got, not only by the Conduct, but likewise by the single and personal Courage of the General.

SECT. XV. There are some Offices to be done, even to them, from whom you have received an Injury, for Revenge, and Punishment must have a measure; and therefore the Issues of the (u) Roman Wars were either mild or necessary: Now when killing is Just, in a just War, according to internal Justice, may be known by examining the Causes, or End of the War, which may be, for the Conservation of Life, and Members, and the Keeping, and Acquiring of things useful unto Life; now in the assaulting of Ships, one is Slain, on Purpose, or

(r) *In Milite unus fors est in Imperitore universorum periculum, unus Homo pluri fuit quam universa civitatis.* (s) Clearchus Cyro dedit, consilium ne, ipse, se impericulum offeret, sed inspectorem se pugna gereret; pugnantiem enim corpore nil magne efficeret, si vero quid damni acceperis, omnes se perditurum quos secum haberet. Polyb. Strab. lib. 2. (t) Guicciard lib. 3. Aphor. 21. Cicero Offic. 1. § 2.

(u) Grotius de jure Belli, ut Pacis l. 1. c. 2. without Purpose; on purpose can no Man be slain justly, unless either for just Punishment (u) as without it, we cannot defend or protect our Lives, Goods, or Countrey, &c. That such Punishment, may be just, it is necessary, that he who is Slain, have offended, and that so much as may be avenged with the Punishment of Death, in the Sentence of an equal Judge. Now we must note, between full Injury, and meer Misfortune, often interceeds some mean, which is, as it were, Compos'd of both, so that it can neither be called the Act of one knowing, and willing, or meerly the Act of knowing, and unwilling.

This Distinction by *Themestius* (x), is fully illustrated: you have made a Difference, betwixt an Injury, a Fault, a Misfortune; although you neither Study *Plato*, nor read *Aristotle*, yet you put their Doctrine in Practice; for you hold not them worthy of equal Punishment, who from the beginning perswaded the War, and who afterwards were carried with the Stream, and who at last submitted to him, that now seemed to have the highest Power; the first you condemned, the next you Chastised, and the last, you pitied.

Most certain to spare Captives, or Prisoners, of War, is a Command of Goodness and Equity; and in Histories they are often commended, who, when too great number prove burdensom, or dangerous, chose rather to let them all go, then to slay them, or detain them, though for Ransoms, as in the last Flemish Wars with *England*. So for the same Causes, they that strike, or yield up themselves, are not to be slain, (though there is no Provision made by Covenant.) In Towns besieged, it was observed by the *Romans*, before the Ram had smitten the Wall, *Caesar* denounced to the *Advatici*, he would save their City, if before the Ram had touched the (y) Wall; they yielded, which is still in use, in weak places, before the great Guns are Fired; in strong Places, before an Assault is

(x) *Misericordia infortunatis debetur, atqui deliberata Scientia male agi non infelix, sed injusta. We must shew Compassion to those to whom Fortune, not their own Deeds, have made Miserable.* (y) *Scipio Aemilianus, at the overthrow of Carthage Proclaimed they should Fly that would. Polybius vid. Tacitus. Annal. 12. Vide Serran. in reb. Franc. 1. & Hen. 2. Thucyd. lib. 3. Caesar lib. 2.*

made upon the Walls, (a) and at Sea, by Firing one or two Guns, or hanging out the Bloody Flag, according as the Instructions are; however, till there be an absolute yielding, or Quarter cried, by the Law of Arms, as well as by the aforesaid Article, every Commander, and Soldier is to do his utmost, to Take, Fire, and Kill, and Endamage the Enemy, or whatsoever may tend thereunto.

SECT. XVI. By the Law of Arms, he deserves Punishment who doth not keep off Force, that is offer'd to his Fellow Soldier (b), and though it hath been conceived, if there be manifest Danger, that he is not bound to come into his Relief, for such Commanders may prefer the Lives of his own Ship before those in another; yet that suffices for every Soldier by the Law of Arms, is not bound to defend, but assist, and relieve his Companion: Now Companions are in two Respects, either those, that are in actual Service with such Soldiers, or those that are not, but only committed to their Protection or Convoy, which are to be Defended and Guarded, at the same Peril and Charge, that a Fellow Soldier is; and therefore all Ships that are committed to Convoy and Guard. * They are diligently, and carefully to be attended upon without delay, according to their Instructions in that behalf; and whosoever shall be faulty therein, and shall not faithfully perform the same, and defend the Ships and Goods in their Convoy: Without either diverting to any other part, or occasions, or refusing, or neglecting to Fight in their Defence, if they be set upon or Assaulted, or running away Cowardly: and submitting those in their Convoy, to hazard and Peril, or shall demand, or exact any Money from any Merchant, or Master, for conveying of such Ships belonging to Her Majesties Subjects, shall be condemned to make Reparation of the damage to the Merchants, Owners, or others, as the Court of Admiralty shall adjudge, and also be punished criminally according to the Quality of their Offences, be it by Pains of Death, or other Punishment, according as shall be thought fit by that Court Marshal.

Artic. 13.

(a) Dinant in Flanders being taken by Assault, the Town was razed and burnt and the Prisoners all put to Death. Vide Phil. Comines lib. 2. cap. 1. (b) I will defend my Companion at the Cost of my own Blood, and partake in his Danger. Seneff. de Ben. 2. 15.

Protection of Convoys, by the Laws of Nations, is of great Utility to a Kingdom, or State; therefore, when Violence is offered to those Ships under Convoy, they are not said to be done to them, but to those Ships of War, under whose Guard they pass; and therefore when Violence is offered to such, publick Revenge is let in; according to that of Tacitus (c) *He should provide for their Security by a just Revenge.*

Now that such Ships may not suffer wrong from such Invaders, two ways may be taken by the Convoys; first, by destroying him, or them, that have attempted, and committed any Hostile Act against any thing under their Protection. Secondly, By all ways imaginable, endeavouring to weaken his, or their Force, that he, or they may not be able to do any other, or further hurt; therefore, there is no doubt, but Vindication to these Ends, are within the bounds of Equity, though this is no more than private; yet if we respect the bare Law of Nature, Abstract from Laws Divine, and Humane, and from all, not necessary accident to things; it is not unlawful, whether the Satisfaction or revenge is taken by the Convoy Ships themselves, or the Convoy Ships under his, or their Guard, and Protection, seeing it is Consantaneous to Nature, that Man should receive Aid from Man; and in this Sense may be admitted that Saying of Cicero, *The Law of Nature is that which comes not from Opinion, but Innate Vertue*: Among the Examples of it, is placed Vindication, which he opposes to Favour; and that none might doubt how much he would have understood by that Name, he defines Vindication, whereby, by defending, or revenging, we keep off Force and Contumely from us, and Ours, who ought to be dear unto us, and whereby we Punish other's Offences.

Now, those Ships that are not under Convoy, but Engaged in Fight, are faithfully to be Relieved; and therefore, if a Squadron shall happen to be over-charged, or distressed, the next Squadron, or Ships, are to make towards their Relief, and Assistance, upon Signal given them; which is generally

(c) *Etiam hujus rei in feris imago quadam. Leo in adultera penam confurgit.*
 Plin: Hist. Nat. 8. 16.

given in the Admiral's Squadron by a Pendant on the Fore Top-Mast Head of any Flag-Ship, in the Vice-Admiral's Squadron, or he that Commands in Chief in the second place, a Pendant on the Main Top-Mast Head, and the Rear-Admiral's Squadron the like ; but these Signals sometimes change according to the Wisdom , or Resolution of the Admiral.

Again, Ships that are disabled by loss of Masts, Shot under Water, or the like, so as they be in danger of Sinking, or Taking, the Distressed Ships generally make a Sign by waft of their Jack, or Ensigns ; and those next to them are bound to their Relief ; but yet this does not always hold place : For, if the Distressed is not in a Probability of Sinking, or otherwise Encompassed with the Enemy , the Reliever is not to stay, under pretence of securing them, but to follow his Leader, and the Battle, leaving such disabled Ships to the Sternmost of the Fleet ; it being an undoubted Maxim, That nothing but Beating the Body of the Enemy, can effectually secure such disabled Ships.

SECT. XVII. It is not enough that Men behave themselves Valiantly in Beating of an Enemy, for that is not all, but reducing them in a Condition to render Right, either for Damage done, or to render that which is Right ; which cannot well be done, without bringing them to Exigences, and Straits ; and therefore , if the Enemy, Rebel, or Pirate be Beaten, none, neither through Cowardice , Negligence, or Disaffection, ought to forbear the Pursuit, and those of them (d) Flying ; nor ought such either, through Cowardice, Negligence, or Disaffection, forbear the assisting of a known Friend in View, to their utmost Power ; the breach of which, subjects the Offenders to the Pains of Death, or at least, such Punishment as a Court-Martial shall think fit.

Hence it is, That Generals having compleated a Conquest in a Just War, and in Chase, or otherwise, have taken the Ships, or Goods of the Enemy, have Absolute Power over

(d) But that is to be understood as in the Twelfth Paragraph, of this Treatise of the Naval Military part.

their Lives, Estates, Ships, and things that by the Force of Arms they have acquired by the Laws of Nations.

But yet in such Conquests, where the Reeking Sword knows no Law, that is, done *Impune*, without Punishment (because co-equal (e) Judges do grant them their Authority) yet such Power may be Exorbitant from the Rule of Right, called Virtue; and, though by the Law of War, Captives may be slain, yet what Law forbids not, Modesty prohibits to be done.

Hence it is, that Generals do often restrain that Power of Killing; for, though such Prisoners of War do Fight for the Maintenance of an Unjust Cause, and although the War is begun in a solemn manner, yet all Acts that have their Rise from thence, are unjust by Internal Injustice; so that who knowingly do persist in Fighting, (f) yet ought they not always to be Slain, according to that of *Seneca*: *Cruel are they, says he, that have Cause of Punishment, but have no Measure.* For, he that in Punishing goes farther than is meet, is the second Author of Injury; and the principal Reason why Mercy is often shewed, is, For that Soldiers of Fortune offend not out of any Hatred, or Cruelty, but out of Duty.

SECT. XVIII. Generals, in the measure of Killing, look no farther than those, who by Force of Arms oppose them; and though the Ships, or Cities are taken by Assault, the which by the Laws of War, subjects every Individual to the Mercy of the Conquerour; yet Children, Women, Old Men, Priests, Scholars, and Husband-men are to be spared; the first by the Law of Nature, according to that of *Camillus*: (g) *We have Arms, say he, not against that Age which, even in taking of Cities, is spared, but against Armed Men, and this is the Law of Arms amongst good Men;* By which we are to note, by the words, Good Men, as is observed, we mean the Law of Nature; for strictly by the Law of Arms, the slayers of them are without Punishment. (i)

(e) Tacit 3. *Annal.* Pompeius gravior remediis quam delicta erant. (f) Grotius de jure Belli ac pacis. l. 3. c. 10 (g) 2 de Clem. cap. 4. (i) Grotius de jure Belli ac pacis. l. 3. c. 11. Who observes that many pretences may be found out against Men of mature Age, but Calumny is self can have nothing to say, as being clearly Innocence.

Again Captives, and those that yield, are not to be Slain, for to spare such, is a Command of Goodness and Equity: Says *Seneca*, however it may so come to pass, that though the Military Power may exempt a Prisoner of War, from the Execution of the Sword; yet it may be out of their Power, to Exempt, or Discharge a Delinquent, or Traytor, from the Execution of the Magistrate, as if the Fleet were prepared, and the War principally begun, for the Suppression of such; and the Reason of this is, if it should be in the Power of one Soldier, who takes a Traytor, or Prisoner upon such Terms, it would *pari ratione*, be in the Power of all to Pardon, not that the Article hath no Effect, for the Traytor is, by that freed from the immediate Execution of the Sword: Sure it is, that if the yielding be in *Aperto praelio*, methinks absolute Pardon is implicitly in the Contract; however this is undeniable, that having yielded himself Prisoner of War, if he Escape; he for ever loseth the benefit of the Promise.

De Benefic.

§. cap. 18.

S E C T. XIX. Where Offences are of that Nature, as they may seem worthy of Death, (k) as Mutiny and the like, &c. It will be a Point of Mercy, because of the multitude of them, to remit extream Right, according to that of *Seneca*: The Severity of a General shews it self against Particulars, but Pardon is necessary when the whole Army is Revolting; What takes away Anger from a Wise man? The multitude of Transgressors.

Hence it was, That casting of (l) Lots was introduced, that too many might not be subjected to Punishment.

However, all Nations have made it a standing Rule, the Punishment of Mutineers; as near as possible, to hunt out the Authors, and make them Examples. (m) And therefore in the 15th. Article: If any Man at any time, when Service, or Action is Commanded, shall presume to step, or put backwards, or discourage the said Service and Action, by pretence of Arrears of Wages, or upon any pretence of Wages whatso-

(k) *De Ira. cap. 10. Quicquid multis peccatur in ultum est. Magis monendo, quam minando, sic enim agendum est, cum multitudine peccantium, severitas auctum exercenda est in peccata paucorum. Vide Gailium, de face publ. lib. 11. cap. 9. 36. (l) Vide Grot. lib. 3. cap. 11. 17. (m) Victor de jure Belli. n. 55. lib. 2.*

ever, they are to suffer Death ; Indeed the same ought to be without Mercy, by how much the more they might raise a Mutiny, at a time when there is nothing expected but Action, and the shewing the most obsequious Duty that possibly might be, the Breach of which may occasion the Damage of the whole Fleet, and being of such dangerous Consequence, ought
Artic. 19. severely to be punished.

So likewise the uttering of any words of Sedition, or Mutiny, or the endeavouring to make any mutinous Assemblies, upon any Pretence whatsoever, is made Death : And the very Concealours of any Trayterous, or mutinous Practices, Designs, or Words, or any words spoken to the Prejudice of Her Majesty, or Government, or any Words, Practices, or Designs tending to the Hinderance of the Service, and shall not reveal them, Subjects them to such Pains and Punishments, as a Court Marshal shall think fit.

And whereas, in any of the Offences committed against any of the Articles, for the Government of any of Her Majesties Ship of War, within the narrow Seas, wherein the Pains of Death are to be inflicted, Execution of Sentence ought to be
Artic. 20. made without leave of the Lord Admiral ; this of Mutiny, is totally excepted, for such may be executed immediately.

S E C T. XX. It is not lawful for Princes, or States, to make of their Enemies Traytors, or cause them to Desert the Service of their Prince, or to bring over their Ships, (*n*) Ordnance, Provisions, or Arms, for as it is not lawful for any Subject to do the same, so neither to tempt ; for he that gives a Cause of sinning to another, Sins also himself ; but if a Man will voluntarily without any impulse but his own, bring over the Ships, or Armies, or Deserts the Service of his Prince to serve another, this though a Fault, in the Defenter, is not in the Receiver, we may receive a Fugitive by the Law of War, (saith *Celsus*) That is, it is not against the Law of War, to admit him, who having Deserted his Princes part, elected his Enemies, nor are such to be rendred, except it shall be agreed, as in the Peace of *Lewis* the Eleventh.

(*n*) *Leg. Traffug, D. de acqu. dom. Polyb. in excerpt. Legat. 9. 28. 34. Menand. Prosector. idem nos docet. Phil. Comin. lib. 4. 12.*

However such Gamesters, if caught, ought to be severely punished; and therefore it is provided, That if any Captain, Officer, or Seamen shall betray his Trust, or turn to the Enemy, Pirate, or Rebel, or run away with their Ships, or Ordnance, Ammunition, or Provision, to the weakening of the Service, or yield the same to the Enemy, Pirate, or Rebel, they shall be punished with Death; so likewise, if any shall Desert the Service, or their Employment, which they are in on Shipboard, or shall Run away, or Entice any other, so to do, they are Subject to the like Pains of Death (o). And by the Law of Nations, such Deserters that run away from their Colours, or Fleet, before Peace is proclaimed, and concluded; all Persons from that Prince, from whom they fled, have a Right indulged to them to execute publick Revenge.

S E C T. XXI. By the Laws of Nations, (p) Spies may be sent to View and Survey the Enemies Force, Fleet, or Station, and make Discovery of whatsoever may give an advantage to the Persons sending, as is before mentioned, but being apprehended they are put to Death; and therefore, if any Person shall come from, or be found in the Nature as Spies, to bring any seducing Letters, as Messages, from any Enemy, or Rebel, or shall Attempt, or Endeavour, to Corrupt; any Captain, Officer, Mariner, or other of the Navy, or Fleet, to betray his, or their Trust, or yield up any Ship, or Ammunition, or turn to the Enemy, or Rebel, he shall be punished with Death. *Artic. 19.*

S E C T. XXII. Soldiers; and Mariners owe all Respects, and Duty, to their Superior Officers, and therefore when they are in Anger, they ought to avoid them; but above all not to Quarrel with, or give them any provoking Language: And therefore by the Law of Arms, a Soldier who hath resisted his Captain, willing to Chastise him, if he hath laid hold on his Rod he is Cashiered, if he purposely brake it, or laid violent Hands on his Captain, he dies (q); and by the Laws of *England*, if any Person shall presume to Quarrel

(o) Tertul. *Apolog.* c. 9. *quando liceat. l. 2. in reos Majestatis & Publicos hostes omnes homo Miles.* Vide Grot. (p) Liv. l. 2. c. 3. ult. ad Leg. *Core. de Sioar. pun.* (q) Leg. *D. de re Milit. Rufus Leg. Militar. cap. 15.*

with his Superiour Officer, he shall suffer severe Punishment, and if he strikes him, shall suffer Death, or otherwise, as a Court-Marshal shall admit the Matter to deserve.

Artic. 21.

SECT. XXIII. And, though Mariners, and Soldiers, may have just Cause of Complaint, as that their Provisions, or Victuals are not good, yet they must not Mutiny, or Rebel, whereby to distract, or confound the whole Crew, but must make a Civil, and Humble Address to their Commander, that the same may be amended; and if the Case be such, that the Commander cannot redress the same, by going to Port, and supply the Exigences without detriment of the Fleet, (and if ready to Engage, or the like) they must, like Men and Soldiers, bear the Extremity, considering, It is better that some Men should perish, nay, the whole Crew in one Ship, than the whole Fleet, nay, perhaps the whole Nation be Destroy'd : And therefore, if any in the Fleet find cause of Complaint of the unwholesomeness of his Victuals, or upon other just Ground, he shall quietly make the same known to his superiour Officer, Captain, or Commander in Chief, as the occasion may deserve, that such present Remedy may be had, as the matter may require; and the said Superiour Officer or Commander is to cause the same to be presently Remedied accordingly; but no Person upon any such, or any other pretence, shall privately attempt to stir up any Disturbance, upon pain of such severe Punishment as a Court-Marshal shall think fit to Inflict.

Artic. 22.

SECT. XXIV. And, as the Law doth provide, that there shall be no Waste, or Spoil of the Queen's Provision, or Imbezzlement of the same; so likewise, that Care be taken, the Ships of War, neither through Negligence, or Willfulness, be stranded, split, or hazarded upon severe Penalties. In Fights, when great Fleets are out, there are generally Instructions appointed for all Masters Pilots, Ketches, Hoys, and Smacks, who are to attend the Fleet, and to give them notice of the Roads, Coasts, Sands, Rocks, and the like : And they have particular Stations allotted them, and Orders given, that if they shall find less Water than such a Proportion, they then give a Signal, as they are directed to give, and continue their signal, till they be answered by their Capital Ships.

Artic. 24.

But,

But, in time of Fight, they generally lay away their Head from the Fleet, and keep their lead; and, if they meet with such a proportion of Water, as is within their Directions, they are to give such signal as they receive *Artic. 27.* Orders for, and stand off from Danger; but the wilful Burning of any Ship, or Magazine, Store of Powder, Ship, Boat, Ketch, Hoy, or Vessel, Tackle, or Furniture thereunto belonging, not appertaining to an Enemy or Rebel, shall be punished with Death.

SECT. XXV. There are other Faults often committed by the Crew, the which the Law doth punish; as Quarrelling on Ship-board, using provoking Speeches, tending to make a Quarrel, or Disturbances, or Murders; wilful Killing of any Man, Robbery, Theft, and the unnatural Sin of Sodomy, and Buggery committed with Man or Beast: All which, and all other Faults, and Misdemeanors are punished with Death, or according to the Laws and Customs of such Cases used at Sea; and when any Persons have committed any of the Offences particularly mentioned in the Statute of *Car. 2. cap. 9.* and contained in the Articles, or any others; and for which they shall be committed to the Provost Marshal, and, he is to take them into Custody, and not suffer them to Escape; and all Officers and Seamen are to be aiding and assisting to Officers, for detecting, and apprehending of Offenders.

SECT. XXVI. The Admiral may grant Commission to Inferiour Vice-Admirals, or Commander in Chief of any Squadron of Ships, to assemble Court-Marshals, consisting of Commanders and Captains for the Tryal and Execution of any of the Offences or Misdemeanors which shall be committed at Sea; and if one be attainted before them, and the same work no Corruption of Blood, or Forfeiture of Lands; nor can they try any Person that is not in actual Service in Her Majesty's Fleet, or Ships of War; But, in no Case where there is Sentence of Death, can the Execution of Death be without leave of the Lord-Admiral, if the same be committed within the Narrow Seas; yet this does not extend to Mutiny; for there, in that Case, the Party may be Executed presently, as aforesaid. *37. H. 6. fol. 4. 5. 13 Car. 2. cap. 9.*

All Offences in any Voyage beyond the Narrow Seas, where Sentence of Death shall be given to any of the aforefaid Offenders, Execution cannot be awarded or done, but by Order of the Commander in Chief of that Fleet, or Squadron, wherein Sentence of Death was passed.

SECT. XXVII. The Judge Advocate hath Power given by the Words of the Statute, to Administer an Oath, in order to the Examination and Tryal of any of the Offences, mention'd in the Statute of 13 Car. 2. cap. 9. And in his Absence, the Court-Martial hath power to appoint any Person to Administer an Oath to the same purpose.

This Statute enlargeth not the Power and Jurisdiction of the Admiral any further than in the aforefaid Offences, in any Case whatsoever, but leaves his Authority as it was before the making of this Statute; nor does it give the Admiral any other, or further Power to enquire, and punish any of the afore-mentioned Offences, unless the same be done upon the Main Sea, or in the Ships and Vessels, being, and hovering in the Main stream of great Rivers only, beneath the same Bridges nigh to the Seas, within the Jurisdiction of the Admiralty, and in no other place whatsoever.

Stat. 43. Eliz. cap. 3. *SECT. XXVIII.* As Soldiers and Mariners, for the Honour, and Safety of the Realm, do daily expose their Lives and Limbs, so the Realm hath likewise provided for them, in case they should survive, and prove disabled, and unfit for Service, a reasonable, and comfortable Maintenance to keep them; the which the Justices of the Peace have Power Yearly, in their *Easter Sessions*, to raise by way of Tax, for a Weekly Relief of Maim'd Soldiers, and Mariners.

The maim'd Soldier, or Mariner must repair to the Treasurer of the County where he was press'd, if he be able to Travel, if he be not, then to the Treasurer of the County where he was Born, or where he last dwelt, by the space of three Years; but if he proves unable to Travel, then to the Treasurer of the County where he Lands.

He must have a Certificate under the chief Commander, or of his Captain, containing the Particulars of his Hurt, or Services.

The Allowance to one, not having been an Officer, is, not to exceed Ten Pounds per Annum.

Under

Under a Lieutenant,	——	15 pound	} per Annum.
A Lieutenant,	——	20 pound	

Till the 'Mariner arrives at his proper Treasurer, they are to be relieved from Treasurer to Treasurer; and when they are provided for, if any of them shall go a Begging, or counterfeit Certificates, they shall suffer as Common Rogues, and lose their Pensions: Over and above this Provision, His Late Sacred Majesty, King *Charles* the Second hath provided a further Supplement for his Maim'd Mariners, and Soldiers, disabled in the Service, which is issued out of the Chest at *Chatham*, and constantly, and duly paid them; and for his Commanders, Officers, and others, that served Aboard, He, of his Royal Bounty hath given to those that bear the Character of War, and purchase the same by their Fidelity, and Valour, a Pious Bounty, called Smart-Money, over and above their Pay.

The greatest Assurance of a Fleet, is in the Prudent Government of the Admiral; the greatest Weakning of it, is by Discontent, which generally proceeds from two things; want of good Victuals at Sea, and Pay when they come Home: These are the poor Mariners *Aqua Vita*, but want of them, is such *Aqua Fortis*, as Eats through all manner of Duty, and Obedience: That Prince, that expects to be well Served, and Obeyed, (especially by an *Englishman*) must take care he suffer not a greater Power than his own; this Commander is Necessity, (which is the immutable *Gubernator*, in Heaven, the Earth, and the Sea,) which breaks Discipline at Sea, and Creates Discouragement at Land.

SECT. XXIX. The Wisdom of the *Romans* * was mightily to be commended, in giving of Triumphs to their Generals, after their Return, of which they had various sorts, but the greatest was, when the General rid in his Chariot, Adorned, and Crowned with the Victorious Lawrel. The Senators, with the best of the *Romans*, meeting him, his Soldiers (especially those, who by their Valour purchased Coronets, Chains, and other Ensigns of Reward, for their Conduct, and Courage) fol-

* *Vide Salmuth. in Fan. is. Leg. rerum deprud, Ca. de Triumph. Dion. Halica: res. l. 5.*

lowing him ; but Policy had need of all the Stratagems imaginable to confound the Judgment of a Soldier, by excessive Praises, Recompences, and Triumphs ; that so the Opinion of Wounds, and Wooden Legs, might raise in him a greater Esteem of himself, than if he had an Entire Body.

To allure others, something must be found out handsomely to cover Wounds, and Afrightments of Death, and without this, *Cæsar*, in his Triumphs with all his Garlands, and Musick, would look but like a Victim ; but what Sorrow of Heart is it, to see a Passionate Man, a Ray of Divinity, and the Joy of Angels scourged thus with his own Scorpions ? And so fondly to give himself Allarms in the midst of his Innocent Contentments, as they of *Holland* did formerly in the midst of their Traffick, and Recreations, (by denying his Sacred Majesty King *Charles* the second, His Right, even that Right of the Flag, which his Ancestors had, with so much Glory acquired) pull on their Heads, a War, which that mighty Republick, by their greatest Industry, and Wisdom, could not in the Revolution of almost Eight Years be able to Quell. And now the *French* and *Spaniards*.

The Cholerickness of War, (whereby the Lustful Heats of so many Hearts is reduc'd) stirs up the Lees of Kingdoms, and States, as a Tempest doth Weeds, and Slimy Sediment from the bottom to the top of the Sea, which afterwards driven to the Shoar, together with its Foam, there cover the Pearls, and precious Stones ; and, though the Cannon should seem mad by its continual Firing, and the Sword Reeking Hot by its daily Slaughters, yet no Man doubts, but they, even they, shall Weather out those storms, and in the midst of those Merciless Instruments, find an *Inculpata Tutela*, who love Justice, exercise Charity, and put their Trust in *Jehovah*, the Great Governour of all things.

The End of the Second Part.

P A R T.

PART III.

Proposals for the Breeding, and Increasing Sea-faring Men, Mariners and Pilots.

BY what hath been already said, in the foregoing Part; it is plainly Demonstrated, that the Strength, and Safety of Her Majesty's Dominions, is in the Power of Her Naval Force. 'Tis those Floating Castles must defend Her Territories both *Extern* and *Intern*.

They were by the late King *William* (in his Speeches to the Parliament) stiled the *Great Bulwark of the Nation*. And so they are Universally allowed to be, to the Astonishment of the Beholders, not only for their Magnificent Building, being the best built under Heaven for Sailing, but also as a Terror to the World, whenever they come to Engage against an Enemy; then they see, and feel, the Bravery, and Gallantry of their Commanders, and the undaunted Courage of the *English* Subjects.

And beyond all Dispute Her Majesty will take Care to Encrease, and Preserve Her Men of War; and Defend, and maintain Her Title (of the *British* Seas so often as occasion requires) derived to Her, by Her Royal Progenitors.

And that Her Majesty's Royal Navy may (for the future) be the more expeditiously Man'd, upon all (Occasions, and to Increase) Sea-faring Men, and Mariners; I shall humbly lay down some Measures for the performing of it. Submitting my self to be better informed, if the Method propos'd be not accepted.

It

It is Universally allowed, that the first Sea-faring Men, and Mariners, were Train'd up, in Fishing Boats, and so by Degrees, as they gain'd further Knowledge in Navigation, built still larger Boats, from whence Originally we have (without Contradiction) arriv'd to the Knowledge, we are now attain'd to in Marine Affairs.

The Cinque Ports of this Nation are supposed to be the first, that improved themselves so far, as to maintain a Force against any Invasion; and they having Signalized their Valour (against *Julius Caesar* (a) as appears by the Records of the *Tower*) by Sea, in several Expeditions, for the Glory of their Kings, and Honour of their Countrey, and Safety of the Realm: Our preceding Kings, Confirmed several Dignities on them, and amongst the rest, made their Members of Parliament, Com-Barons, as an Encouragement to Navigation, and their Prowess.

And gave the Com-Barons the Honour, of supporting the Canopy over their Heads, at the Ceremony of their Coronation, as is supposed by way of Similitude, That whereas the Cinque Ports, (from whence they are Chosen), had Defended, Supported, and maintained their Honour against (b) their Enemies, by Sea and Land; they gave their Members, the Honour to support the Canopy over their Heads; as a mark of Honour to them, and an Acknowledgment of the Greatness of their Service.

And many Coasting Towns and Boroughs, (whose sole Dependence was upon the Fishing Trade) have, from time to time, been endowed with great Priviledges; some of them remaining to this Day, (c) as a mark of Honour, by several Kings to encourage Navigation, too tedious here to Insert.

But now most of those Coasting Towns, and Boroughs, (that formerly flourished by their Fishing) are reduced to miserable Poverty, and Thousands of Families ruin'd, for want of Encouraging the Fishery.

Of which Calamity, King *Henry* the 8th. had undoubtedly a foresight of, as appears by the Statute of the 33d. of his Reign; wherein, it is thus Inserted. Because the *English* Fishermen dwelling on the Sea Coasts, did leave off their Trade

(a) And did Repulse him in the first Expedition. (b) The Kings of England, (c) Vide, *The Fishermen*, that had the Medal in the late King's Reign.

of Filhing in our Seas, and went the half Seas over, and thereupon they did buy Fish, of *Pickards*, *Flemmings*, *Normans* and *Zealanders*; by reason whereof many Incommodities did grow to the Realm, viz. The decay of the Wealth, and Prosperity, as well of the Cinque Ports, and Members of the same, as of other Coasting Towns by the Sea-side; which were Builded, and inhabited by great multitudes of People; by reason of Using, and Exercising the Feat, and Craft of Filhing.

Secondly, The Decay of a great Number of Boats, and Ships.

And *Thirdly*, The Decay of many good Mariners, both able in Body, by their Diligence, Labour, and continual Exercise of Filhing; and Expert by reason thereof, in the Knowledge of our Sea Coasts, as well within the Realm, as in other Parts beyond the Seas.

It was therefore Enacted, That no manner of Persons, *English*, *Denisons*, or Strangers at that time, or any time after, should buy any Fish, of any Foreigners in the said Ports of *Flanders*, *Zealand*, *Pickardy*, or *France*, or upon the Sea, between Shoar, and Shoar.

This shews what great Care our former Kings, and Parliaments, have taken, to preserve the Fishery, for a Nursery, for Sea-faring Men, and Mariners, for the Defence of the Nation, the Preservation of our Trade (and Coasting Towns,) and enriching the Subjects.

And 'tis hoped, That the Genius of the Government, will make it the chiefest of their Care, to settle the Affairs of Trade, upon the most firm Foundation, for the publick Good of the Nation.

For the most destructive Consumption, that happen to a Kingdom, and the only Nurse of Idleness and Beggary, is want of Trade; whereas on the contrary, increase of Trade, encourageth Labour, Art, and Invention, and enricheth the Commonwealth: And beyond all Dispute, the Fishery of *England* is (or ought to be) the main Trade of this Nation rightly managed. The good Patriots of our Country are to weigh the Matter: And it is so comprehensive a Blessing, that were those Advantages but industriously improved, that Providence hath bestowed on this Island: We might consequently be the most opulent, and flourishing people in the whole World, both by Sea and Land. And

And seeing by the decay of the Fishing Trade, we have lain open to *France* and *Holland*, by neglecting our own Preservation, and ill Management of the Fishery, it may be supposed, it is high time to look to and encourage it. But whether this great Loss to the Nation, hath been occasioned by our Wilful, or inadvertent Neglect: I shall not determine, and hope it will be taken into Her Majesties gracious Consideration, and the most Judicious Senators of our Countrey. And then we shall draw back the Trade from Foreign Nations, and Employ our own People.

The great and weighty Question upon this Point of Trade, to be considered, is, Whether it is not the general Interest of *England*, to revive and Encourage a National Fishery, it being the main Pillar of the Trade of this Nation, and humbly offer my weak Opinion, of the necessity of it.

For since *England* is obliged to defend her Self, by Naval Force; it should be considered, how that must be Maintained, and Preserved; for without those Bulwarks the Nation, and consequently the rest of Her Majesties Dominions must in a few years, be in a very deplorable Condition.

And nothing is more certain, than that it is the Sea enricheth the Land, which is confirmed by the great Advantages of getting Treasure by Navigation; both at home and abroad; as is manifested by the Grandeur, that Merchants generally live in, in *England*, *Holland*, *France*, &c. History give us a very Satisfactory Account of this Truth; how the *Venetians* have arrived to that Greatness they now arriv'd to by Navigation, and by their Naval Force, Claim and Command the absolute Prerogative of the *Adriatick* Sea.

And we see to what Greatness the French King hath attain'd to by Navigation, in a few years, that he gives Laws in the *Mediterranean* Sea.

(d) And the *Hollanders* by their Navigation, are grown as Opulent, almost, (if not altogether), as any People in the World.

But in Queen *Elizabeth's* Reign of Blessed Memory, *England* gave so fatal an Overthrow to the *Spanish Armado*, Anno. 1588. That she was the Terrour of the whole Universe, by being

so Potent at Sea, and after Her Majesties Success, of that Famous Victory, She was as much Aggrandized by Foreign Princes and States for her Conquest, as she would undoubtedly have been despised, had she been overcome.

But how *England* has neglected breeding of Seamen since Her Majesties Reign, for want of the Fishery for a Nursery for Sea-faring, and Mariners, is too obvious to the whole World.

Woeful Experience tells us, how much our Neighbours have grown upon us, by this Neglect of ours, by the Wealth, and Strength, they have got within this Forty or Fifty years; and by their daily Encrease of Shipping.

And for want of a true Telescope, to see clearly, how this National Fishery may be regained, preserved, and maintained: We are, and have been, many years in the dark.

It is not only the Fish that we lose, and the impoverishing the Coasting Towns, and Boroughs, the only Loss that this Nation sustains; but for want of a prudent Method to manage this Fishery. We have only the Collaery, for a Nursery for Seamen, which will not breed up a Tenth part of the Seamen and Mariners, we have occasion for, as we are an Island.

Further, the *French* and *Hollanders*, finds these Advantages by Encouraging of the Fishery's, that they do not only get Wealth, and Strength; but it inures their Men to the Hardship of the Sea, and makes them Skilful in handling their Tackle, in Pilotage, and Navigation. So that they know the Soundings of our Coasts, and Harbours better than we do.

But the antient *Britains* permitted none to Fish on our Coasts*, or in our Seas, nor any Ships, or Vessels, to Sail into the Island without their Leave, and those only Merchants, nor would not permit any Foreigner to View, or Sound their Sea Coasts, (and this is Conjectur'd, made *Julius Caesar* be at such a plunge, when he first invaded *England*, that neither he, nor his Mariners could tell where to Land, nor had he done it at the second Attempt, (had not our Passages into our Harbours, been discovered) by the *Britains* themselves, that were brib'd and decoy'd to it.) Which was undoubtedly a great Security to them, (before they were betray'd) and an Encouragement to Pilots.

* *Vid.*
Seld. Ma-
re Clau-
sum, Pag.
134.

But now 'tis observable, That the *Hollanders* seldom make use of *English* Pilots, to come into any of our Harbours; and if the *French*, or *Hollanders* have occasion to Man out a Fleet of Men of War, 'tis but making a Draught out of their Fishing Bushes, then they are put on Board, in the same (e) Climate they were afore. Whereas to the great Detriment of this Nation, and loss of our Men, when we have occasion to Man the Royal Navy; we are forced to put Her Majesty to an extraordinary Charge, and Expence, to impress Land Men, Tag, Rag and Bobtail, a parcel of Lazy Vagrants, and Vagabonds, that have not Courage to make them Soldiers, nor Genius to make them Mariners, and while they are in Harbour they devour the Nations Provisions; and when they come to be Roll'd, and Tossed by the Waves at Sea, generally fall Sick, and infect great numbers of Seafaring Men, (f) which great Inconveniency renders them, more fit for an Hospital than a Fighting Navy, as is seen in time of War, and our Sea Commanders are the daily Witnesses of this Calamity.

And it cannot be denied, but that it was the Fishery of *England*, that supplied Queen *Elizabeth's* Navy, with Seamen, and made her so Potent, to give that fatal Overthrow to the *Spaniards*, that to this day they have not been able to Repair that Loss, nor oppose us by Sea, or Land. And Her Majesties Clemency to the *Hollanders*, in giving them permission to Fish on Her Seas and Coasts, was the very first Foundation they laid, to raise themselves to their present Grandeur, and by the Wealth they have got, and Shipping, by their breeding of Seamen in the Fishery, they are rendred very formidable at Sea, as is already observed, but more at large shall be made appear, in the sequel following.

It is worth the while, says the Reverend Mr. *Camden* (g), to observe what an extraordinary Gain the *Hollanders*, and *Zealanders*, do make by Fishing on the *English* Seas, having first obtain'd Leave from the Castle of *Scarborough*, for the

(e) Having been bred to the Sea in their small Crafts. (f) And many of them dies, as may more at large be made appear by the Books in the Navy Office. (g) Rich. 2. Fitz. Herbert Tit. protection 46.

English have granted Leave to Fish, reserving always the Honour, and the Priviledge to themselves, but, through Negligence resign the Profit to strangers: And he goes on further, and says, *Tis almost Incredible, what vast Sums of Money the Hollanders do make by this Fishing upon our Coasts,*

And to confirm what the Reverend Mr. Camden saith, I shall shew how by this means principally, they have Risen to the Greatness of their present Grandeur, both of Wealth, and Strength.

1. In Shipping.
2. In Mariners.
3. In Trade at Home, and Abroad.
4. In Cities, Towns, and Fortifications.
5. In Power at Home, and Abroad.
6. In Publick Revenue.
7. In Private Wealth.
8. In all manner of Provisions and Stores of things necessary for the Preservation of Mankind, and Munitions of War.

Encrease of Shipping.

They have seven Hundred Strand Boats, four Hundred Evars, and four Hundred Sullits, Drivers, and Todd-boats, wherewith the *Hollanders* fish upon our Coasts; every one of these Employing another Ship to fetch Salt, and to carry the Fish into other Countries, being in all, three Thousand Sail; maintaining, and setting at Work, at least, twelve Thousand Persons, Fishers, Mariners, Tradesmen, Women, and Children. They have above (as is supposed) one Hundred Dogger-Boats, of one Hundred and Fifty Tuns a-piece, or thereabouts; seven Hundred Pinks, and Well-Boats, from sixty, to one Hundred Tun Burthen, which altogether Fish upon the Coast of *England*, and *Scotland*, for Cod, and Ling only.

And each of these employs another Vessel for providing Salt, and Transporting of their Fish, making in all, one

Thousand and six Hundred Ships, which Maintain and Employ Persons of all sorts; four Thousand at least.

For the Herring Season, they have one Thousand, six Hundred Busses at the least: All of them Fishing only on our Coasts, from *Bouhones* in *Scotland*, to the Mouth of the *Thames*.

And every one of them maketh Work for three other Ships to attend her; the one to bring Salt from Foreign Parts; another to carry the Salt, and Cask to the Busses, and to bring back their Herrings, and the third, to Transport the Herrings to Foreign Markets.

So that the Total Number of Ships, and Busses, Plying the Herring-Fare, is six Thousand, four Hundred Ships; where every Bus, one with another, employs Forty Men, Mariners, and Fishers, within her own Hold, and the rest ten Men a-piece, which amounteth to one Hundred, twelve Thousand Fishers, and Mariners.

All which maintain double (if not treble) so many Tradesmen, Women, and Children by Land.

Besides, they have generally four Hundred Vessels at least, that take Herrings at *Tarmouth*, and there Sell them for Ready Mony (so that the *Hollanders* besides three Hundred Ships before mentioned, Fishing upon their own Coasts, and Shores,) have at least, One Thousand Eight Hundred Ships, Maintained by the Seas of Great Britain.

And to this Number, they undoubtedly add every Day; and, although their Country neither affords Victuals, nor Materials, nor Merchandize to set them forth, yet by the great Advantages that they have got by Fishing, on our Coast, they abound in every thing that is fit for the Use of Mankind.

Encrease of Mariners.

The Number of Ships Fishing on our Coast, as being afore-said, four Thousand, eight Hundred, if we allow but twenty Persons to every Ship, one with another, the Total Number of Mariners and Fishers, amounteth to one Hundred, sixty eight Thousand; out of which Number, they daily furnish their Ships to the *East*, and *West-Indies*, to the
Medi-

Mediterranean, and for their Grand Fleet of Men of War ; for, by this Advantage of Fishing upon our Coasts, they are not only Enabled to brook the Seas, and know the use of their Tackles, and Compass, but are likewise Instructed in the knowledge of Navigation, and Pilotage ; insomuch, that from hence, their greatest Navigators, and Commanders, have had their Education, and Knowledge of the Seas.

Obser. Therefore, if *England* would assume their Ancient, (and present) undoubted Right of the Sovereignty of the Seas, by employing Ships in the Fishery, Her Majesty would never want Seamen to Man Her Royal Navy.

Encrease of Trade at Home and Abroad.

By reason of those Multitude of Ships, and Mariners, they have extended their Trade to all Parts of the World ; Exporting, for the most part, in all their Voyages, our Herrings, and other Fish, which they Catch upon our Coasts, or in the *British* Seas, for the Maintenance of the same.

In Exchange whereof, they Return these several Commodities from other Countries:

From the Southern Parts, as *France*, *Spain*, and *Portugal* ; (for our Herrings and other Fish, they take upon our Coasts, and Seas) they return Wines, Oils, Prunes, and Honey, Wooll, Leather, Salt, Oranges, Limons, Nuts, with store of Coin in *Specie*.

From the *Straights* ; Velvets, Sattins, and all sorts of Silks, Alloms, Currants, Oils, and all Grocery Ware, with much Money.

From the *East* Countries, for our Herrings, and other *French*, and *Italian* Commodities, before Returned, they bring home Corn, Wax, Flax, Hemp, Pitch, Tar, Soap-Ashes, Iron, Copper, Steel, Waincot, Timber, Deal-Boards, and great Sums of Dollars.

From

From *Germany*, for our Herrings, and other Salt-Fish, which they take on the Coast of *England*, or in the *British Seas*, they have in Return, Iron, Millstones, *Rhenish Wines*, Plate for Armour, and Buttons, Swords, Musquets, Pistols, Caribines, Halberts, Pikes, and other Munition, Silks, Velvets, and Rushes, Baratees, and such like *Frankfort Commodities*; with great store of *Rix Dollars*.

From *Brabant*, and *Flanders*, they return, for the most part (for our Fish) Ready-Money, with some Tapestries, and other Commodities: In fine, they carry the Fish to all Parts of the World, and have in Return, the Growth and Product of the respective Countries for the same.

And that which is more strange, and to our great Dishonour, they catch the Fish upon our Coasts and Seas, and make us pay Ready-Money for our own Fish. (b)

Obser. Sir *Josiah Child*, in his Discourse of Trade, toward the End of this Preface, is pleased to say, That he hath Exposed his Conceptions to the publick Censure, with an Assurance that they will be Received, and Honoured with a publick Sanction, and passed into Laws; And thus begins his Book:

The Prodigious Encrease of the Netherlands, in their Domestic, and Foreign Trade, Riches, and multitude of Shipping, is the Envy of the present, and may be the Wonder of Future Generations.

Here he sets out the Grandeur, and Wealth of *Holland*, and backs it on, with an Addition in several subsequent Expressions in his Book.

They are *Sampsons*, and *Goliaths* in Trade; Sons of *Anach*? Men of Renown! Masters of the Field! Like a prevailing Army, that scorns to Build Castles, and Fortresses to secure themselves, as we do, by our Act of Navigation.

And to advance their Glory herein, he tells us, That we are but Dwarfs and Pigmies in stocks of Trade, and Experience.

(b) Note, That we might make the same Advantages of our Fish Abroad, did we but promote and encourage the Fishery.

But he takes no Notice, that they have attained to their Wealth and Strength by Fishing on our Coasts; and that in Queen Elizabeth's Reign, we were the *Sampsons* and *Goliaths*, and they the *Pigmies*, as shall be made appear more at large.

And the Honoured Author goes further on in his Preface, and tells us, That were they freed from the Fears of the *French*, they would be worse than Task-Masters over us in Trade and Commerce, considering their Number of Shipping, and Treasure.

Obser. That the Trade of the *English* Nation has very much declin'd, since the *Hollanders* have Interloped, and Forestalled our Merchants in their Foreign Markets, is visible to all Thinking Men; and that they would be worse than Task-Masters to us, were it in their Power, is apparent, by their Cruelty to the *English* at *Ambonya*, (which will never be forgot) and other Places.

And, since it is Practical among Kings, Princes, and States, to join one with another, (or enter into a Confederacy) to oppose a King, or Prince that is growing too Great, and if they do not endeavour to suppress him (or put a Check to his Career,) it may be a means to lie open to Him, (or them) whenever He, or they intend to make an Invasion, or Incurfion into their Dominions, or Invade their Territories.

As is Exemplified now by the Confederates against the *French* King.

And, whether it is not now high time, (considering these vast Improvements that the *French*, and *Hollanders* have made by Fishing in the *English* Seas) to depress the growing Greatness of our Neighbours, must be left to the great Wisdom of our Senators; and also, whether a longer Connivance of their Fishing on our Coasts and Seas, will not be a further Intrenchment on Her Majesties Title, as to the Sovereignty of the *British* Seas.

In Towns and Fortifications.

By this their large Extent of Trade, they are become Citizens of the whole World., whereby they have so Enlarged their

their Cities and Towns, (by the Wealth they have got, as aforesaid) That most of them within this Hundred years, are as big again, as they were before, as *Amsterdam*, *Rotterdam*, *Dort*, *Middleburg*, &c. having been twice, (if not three times) enlarg'd, their Streets are orderly set forth, especially in *Amsterdam*, that for Beauty and Strength, they may compare with any Cities in the World, and also their Frontier Towns, and Garrisons, as *Daventre*, *Zutphin*, *Cumpen*, *Swoll*, *Grave*, *Arnheim*, *Nimweguen*, *S. Harto gen Buys*, *Breda*, *Mastrecht*, *Heusden*, *Bergen op Zoom*, &c. upon which they have bestowed infinite Sums of Money, on the Fortifications thereof, and also upon the Havens of the aforesaid Cities, whereof some of them, have Cost above One hundred thousand Pounds. Their Fortification, both for Number and Strength, (upon which they have bestowed innumerable Sums of Money) as well upon their Frontiers, as Ports, may vye with any People in the World.

Obj. That this Treasure and Strength, hath Originally flowed from the Bounty of the *British* Seas.

Encrease of Power abroad.

Such being the Number of their Ships and Mariners, and Greatness of their Trade, occasion'd Principally by their Fishing, they have not only strengthned, and fortified themselves at home, to repel all Foreign Invasions; but have likewise stretched their Power to the *East*, *West Indies*, *Africa*, &c. and in many Places thereof, do assume unto themselves to be Lords of the Sea Coasts, and have likewise fortified upon the Main.

And their Neighbouring Princes, in their Differences, by reason of this their Greatness at Sea, do court them to be on their side, as when the former War, was between the *Danes* and the *Sweeds* (i), the *Hollanders* were for the King of *Denmark*, and ordered *Myn Heer Vantrump* to go to be his Admiral, and he had the Success of Sinking the *Sweedish* Admiral, and vanquishing the *Sweedish* Fleet.

(i) *The War between the King of Denmark, and Sweedland.*

Obj. This

Obs. This is, a Confirmation how much they are in Esteem, for their Strength at Sea, and may be a Precedent for *England*, to preserve to themselves their Naval Force, by the only Nurkery for Seamen (to wit) the Fishery.

Encrease of Publick Revenue.

Moreover, how mightily the Publick Revenue (*k*), and Custom of that State is encreased by Fishing on our Coasts, may appear in this, that above Fifty years since, over and above the Customs of other Merchandize, Excise, Licenses, Waftage and Lastage, there was paid to the States for Custom of Herrings, and other Salt-fish, above Five hundred thousand pound in one year.

Besides the tenth Fish, and Cask paid, and for Waftage, which cometh at least to as much more among the *Hollanders* only: Whereto, the Tenth of other Nations being added, it amounteth to a far greater Sum.

Note, We are likewise to understand, that great part of the Fish, that they take out of our Seas, and upon our Coasts is sold in other Countries for ready Money, and generally they Import from foreign Countries, of the finest Gold and Silver, and coming home, Recoin it of a baser Alloy, under their own Stamp, by which means they exceedingly Augment their Publick Treasure.

Obs. That if *England* would encourage the Fishery, we should reap the same Advantages of Encreasing the Publick Treasure, the Alloy of the Coin excepted, which cannot be permitted in this Nation.

Encrease of Private Wealth.

As touching Private Wealth, if we consider the abounding Stores, of Herrings, and other Fish (taken on our Coasts) and the usual Prices that they are sold for: As also the Trademen, and Handicrafts Men, (that by reason of this their Fish-

(*k*) *Note*, If the Fishery were reviv'd, and encouraged, there would undoubtedly accrue to the Crown in few years above 400000 l per Ann. by the Customs.

ing) are daily set on Work, we must needs conclude that the Gain, and Profit thereof, must of necessity be exceeding Great, as by observing the Particulars following, will appear.

The *Dunkirkers* some years since, Spoiling and Burning the *Buffes* of *Holland*; and setting great Ransoms upon their Fishermen, enforced them to compound for great Sums of Money, that they might Fish quietly for one year. Whereupon the next year after, the Fishermen agreed among themselves to pay the *States* of *Holland*, a Dollar for every Last * of Herring, towards the Maintenance of certain Men of War, to secure them in their Fishing on our Coasts, they having obtained Liberty from *England* for the same, by reason whereof, there was a Register kept, of the several Lasts of Herrings they took that year, and it appeared thereby, that in one half year, they had taken Thirty thousand Lasts of Herrings, which at Twenty pound the Last, amounteth to three Millions Six hundred thousand Pounds.

And at Six and twenty, and thirty Pound a Last; As they are ordinarily sold for, as they Pick them, and then transported into other Countries, it amounteth to at least five Millions of Pounds Sterling; whereunto if we add the Herrings, and other Fish taken by other Nations; as *France*, *Flanders*, *Hamborough*, *Lubeck*, *Bremen*, *Portugal*, *Spain* *Biscay*, &c. which for the most part Fish in our Seas, together with the Cod, Ling, Hake and other Fish, that the *Hollanders* take in the *British* Seas all the year long, the Total will modestly and evidently arise to above ten Millions *per Annum*.

Note, But if it did amount to but five Millions *per Annum*, What a vast Loss is it for the Nation to sustain, by the neglect of the Fishery.

Further, this Great, and profitable Trade of Fishing; Employing so many Ships at Sea, as before mention'd, must likewise maintain an innumerable number of Tradesmen, and Artists by Land, as Spinners, Hemp-Winders for Cables, Cordage, Yarn, Twine for Nets and Lines, Weavers to make Sail

Note, Ten Barrels make a Last, allowing a Thousand Herrings to every Barrel, and including six Score Herrings for every Hundred, to make good the Damag'd Fish.

Cloths,

Cloths, Ceffive, Packers, Tollers, Dressers, and Cowcheers to sort, and make the Herrings Lawful Merchandize; Tanners to Tan their Sails and Nets; Coopers to make their Cask, Block, and Bolt-makers, Capenters, Shipwrights, Smiths, Painters, Carmen, Boatmen, Brewers, Bakers, Butchers, Turners, and a great number of others; whereof many are Maimed Persons, and unfit to be otherwise Employed; and every Man or Maid-Servant, having any poor Stock, may venture it in the Fishing Voyages, which affords them ordinarily great encrease, and is duly paid according to the Proportion of their Gain.

Obfer. This Great and Glorious Undertaking of the Fishery, will not only Enrich the Nation, but Employ Thousands of People, that are now so miserably Poor, that they gradually Starve, for want of Employ or Business.

✧ And what is worthy of Her Majesties Particular Notice; It would prevent abundance of *English* Seamen from going into foreign Service in times of Peace, for want of Employment at Home, (and then they would be always within Call) many of them leaving their Wives, and Children to be maintained by the Parishes.

Which is undoubtedly a great Burthen to the Inhabitants, and the Fishery would not only preserve Thousands of Families from Perishing; but then they would wear better Cloaths, and promote our Woollen Manufactory; for 'tis only Poverty makes People go in Raggs, and being Dis-heartned, it oftentimes prevents their Attendance at Publick Devotion.

Note, Well may the *Hollanders* boast they have no Beggars, so long as they can Employ all their People in the Fishery, that we so long have neglected.

And it would also prevent a great many Inconveniences that now attend this Nation, for want of being Employ'd.

There would not be so many Vagrants, and Vagabonds, nor so many People take Illegal Courses; as Thieving, Robbing, &c. to the Ruin of themselves and others; nor so many Export our Corn, nor carry our Wooll unwrought out

of the Nation, if they were Employed another way.
 And 'tis a Universal Maxim, That, *Idleness is the Root of all Evil*: And a great many People fear Starving more than Hanging, as is seen almost every Sessions, or Assizes, for if the Judge enquires of the Criminals, what induced them to take such Lewd Courses that they are Arraigned, or Condemned for, the general Reply is Want.

And 'tis supposed by all that have Travell'd in the Low-Countries, that, where one Malefactor is Executed in *Holland*, there is fifty, if not an Hundred in *England*; and the only Reason that can be given why there are so many Executed in *England*, and so few in *Holland*, is, That they take Care to Employ their Subjects, and those that are incapable (by Age, or any other Infirmary) for Labour, are provided for, by allowing them a Competent Maintenance to live on: But, 'tis the Fishery that Employs all, and Enricheth them; and I have heard the *Hollanders* boast themselves, *That God Blesseth them in their Trading, and defends them from their Enemies, for being so good to the Poor.*

And it is a Confirmation of the Sacred Writ. That he that considereth the Indigent, the Lord will remember him in the day of his Tribulation.

And, what a great Glory will it be to Her Majesty, to preserve so many Thousand Subjects that are Involved in such miserable Necessity, that in all Probability they must Perish, if this Method be not taken.

Increase of Provisions and Stores of things necessary for the Preservation of Mankind, and Munitions of War.

It is well known, that *Holland* it self only doth afford a few Hops, Madder, Butter, and Cheese, and yet aboundeth in a very Bountiful Manner (by reason of this Art of Fishing) in all kind of Provision, so well for Life as Commerce; as in Beef, Mutton, Veal, Corn, &c. Wines, Silks, Spices: And to defend themselves by Sea, they have Pitch,

Pitch, Tar, Cordage, and Timber, Iron, Steel, Cannon, and all manner of small Arms, for the service of their Land-Forces.

Of all which they have not only enough to supply themselves, but from their Magazines, are able to furnish their Neighbouring Countries, by the great Returns they make by fishing in the *British* Seas.

From whence we may Conclude,

That England's a Perfect World!

'T has Indies two :

Correct your Maps ;

The Fishery is Peru.

*The Fishery,
ry, and
the Woolle*

And, why *England* should not insist upon the Sovereignty of the *British* Seas, and to the utmost Improving their Fishery for a Nursery for Seamen) as in former times, seems very wonderful to all our Neighbours.

Obj. But some People may say, That in case the Fishery were Encouraged, it may be a means to prevent Eating so much Flesh as we do now in *England*. : And so it will consequently be very prejudicial to our Landed Gentlemen, and bring down the Rents of their Farms, and Lands lower.

Obj. But this, with Submission, is a very Erroneous Notion.

For Example : The Fish that is, or should be Caught in the *British* Seas, &c. is not (in this Proposal) intended to be Eat in *England*, and perhaps not one Hundredth part of it, but to be sold in Foreign Markets, as in due time shall be observed.

And shall make it appear, That if a National Fishery be Encouraged and Promoted, it will cause a greater Consumption of Flesh than is now in *England*, and consequently, rather encrease, than lessen the Rents of the Lands of *England*, and in a few Years (in all Probability) would double the Rents, as our Trade encreased, both at Home and Abroad.

For

For these Reasons :

First, Our Coasting Towns, Burroughs, and Villages adjacent, that formerly had their Dependance on the Fishery, are reduced to so great Poverty, for want of being employed therein, that they are now constrain'd to feed on coarse Bread, Butter, Cheese, Milk, Turnips, Carrets, or on such Roots or Herbs as they can get.

Whereas, if they were Employed in the Fishery, they would then have Money to go to Market withal, and buy Flesh, as their Ancestors did before them, for themselves and Families. And, I suppose there is not any Man but what is sensible, that the *English*, Naturally loving Flesh, the meanest Man or Woman of the Nation, would have Roast and Boyl'd Meat for themselves and Families, so well as their Landlords, if their Purfes would bear it.

And the Victualling of the Ships and Busses, Employed in the Fishing Trade, would also make a great Consumption of Flesh.

So that then it is apparent, there will be a greater Vent for Cattle than there is now, not only in our Coasting Towns, &c. but in all Probability, throughout all the Nation, when once we flourish in this Fishery.

This Great, and Glorious Undertaking will not only Enrich us, (and be a perpetual Nursery for Sea-faring Men, Mariners and Pilots) but it will also Employ Thousands of People by Land, that are now so miserably Poor, that they gradually Starve for want of having this Encouragement.

The Fishery, if it be Encouraged, will be for the Good of the Queen, and the Nation in general, and advance Her Majesties Customs, Encrease her publick Revenue, Enrich Her Subjects: and in some measure take off the Burthen of the Taxes this Nation has so long struggled under, and not only make the Exchequer the greatest Bank in the World, but oblige the Treasure of the *East* and *West-Indies* to meet in our Streets.

And also preserve a Perpetual Union amongst the Subjects of *England*, let them be never so Retrograde in their Opinion, as to their Profession of Religion, and this happy Union

nion will prevent all Intestine Commotions; and bid Defiance to all foreign Invasions or Incurfions.

And it cannot be denied, but *England* had formerly the Richest Fishery in the World, when we maintained the Sovereignty of the *British* Seas; and had by Computation, above five Hundred Fishing Vessels or Ships, and had it been successively Encouraged by a reasonable Encrease, they would now have been above six Thousand Sail, (and what a vast Number of Seamen would they have Employed) to Man Her Majesties Royal Navy; and the Merchant Men upon all Occasions.

And nothing is more certain, than that the Fishery of *England* is the main Pillar of the Nation, and (it will not only raise the Naval Force, but) by its Growth and Flourishing, it will be a Curb, to keep under the Growing Greatness of our Neighbours, and bring in great Treasure to the Realm, as aforesaid.

Sea-faring Men, and Mariners to the Royal Navy, are like Rich Furniture in a Prince's Palace.

This is sufficiently known by the *French* and *Hollanders*; for their Seamen being bred up in the Fisheries, by the Knowledge they do there attain to, in (that School of Learning) Marine Affairs, they do Man their Men of War with one Third (by Computation) less Men than we do, who Burthen our Ships with Land Men, and Boys, that do little or no Service.

And in regard that some People may say, That there will not be constant Employ for our Seamen in the Fishery, in times of Peace, to prevent their going into Foreign Service for want of Employ at Home, I have particularized the Respective Seasons for Fishing throughout the Year, in the *British* Seas, &c.

Of the Miraculous Treasure of the British Seas.

The Coast of Great Britain doth produce a great Harvest of Profit and Benefit to all that Fish there; and such Shoals and Multitudes of Fishes are offered to the Takers, that it makes an Admiration to those that are Employed among them.

The Summer Fishing for Herrings, beginneth about *Midsummer*, and lasteth some part of *August*.

The Winter Fishing for Herrings, from *September* to the middle of *November*; both which extend from *Boughness*, in *Scotland*, to the River *Thames* Mouth, being a Run above an Hundred Leagues.

The Fishing for Cod, at *Alumbey*, *Whirlington*, and *White-Haven*, near the Coast of *Lancashire*, from *Easter* till *Whitsuntide*.

The Fishing for Hake, at *Aberdeine*, *Abweswich*, and other Places between *Wales*, and *Ireland*, from *Whitsuntide* to *St. James-tide*.

The Fishing for Cod, and Ling, about *Padstow*, within the Land, and of *Severn*, from *Christmas* to *Mid-Lent*.

The Fishing for Cod on the *West* part of *Ireland*, frequented by those of *Biscay* and *Portugal*, from the beginning of *April*, until the End of *June*.

The Fishing for Cod and Ling on the *North* and *North-East* Coast of *Ireland*, from *Michaelmas* to *Christmas*.

The Fishing for Pilchers on the *West* of *England*, from *St. James-Tide* until *Michaelmas*.

The Fishing for Cod and Ling, upon the *North-East* Coast of *England*, from *Easter* to *Midsummer*.

The Fishing for great Staple Ling, and many other sorts of Fish lying about the Islands of *Scotland*, and in several Parts of the *British* Seas, all the Year long.

☞ In the Month of *September*, not many Years since, upon the Coast of *Devonshire*, five Hundred Tun of fish were taken in one Day; and about the same time, Three Thousand

three Thousand Pounds worth of Fish in one Day were taken at *St. Ives* in *Cornwall*, by some small Boats.

Our five Men Boats, and Cobles, adventuring in a Calm to launch out amongst the *Hollands* Busses, not far from *Robin Hood's Bay*, returned to *Whitby*, full freighted with Herrings, and did Report, That they had seen some of those Busses take Ten, Twenty, and Twenty four Lasts at a Draught, of Herring, and returned into their own Country with forty, fifty, and an hundred Last of Herring in a Bus, proportionable to their Burthen.

Our Fleet of Colliers, not many Years since, returning from *New Castle*, laden with Coals about the *Wells*, near *Flamborough-Head*, and *Scarborough*, met with such Multitudes of Cod, Ling, and Herring, that one amongst the rest, with certain Ship-Hooks, and other like Instruments, drew up as much Cod, and Ling in a little time, as were sold for well nigh as much as her Lading of Coals.

And many Hundred of Ships might have been laden in two Days and two Nights.

Now, what a great Inconveniency and Detriment is this to the *English* Nation, That we do not Encourage the Fishery, that we may Retrieve those great Advantages, (that our Neighbours do make) and that we have so long taken no Notice of, in regard we can Employ our Seamen throughout the whole Annual.

It is worthy Her Majesties Gracious Consideration, how Necessary Fishermen are to the Commonwealth, and how needful to be Advanc'd, Encourag'd, and Cherish'd.

1. For taking that Product out of the Sea, that God hath Blessed these Nations with more than all the World besides, which otherwise we shall lose.

2. For Employing the Artifts, Handycrafts-Men, and setting the Poor to Work.

3. For making Plenty, and Cheapness in the Realm.

4. For Encreasing the Shipping, and making the Nation Powerful, both by Sea and Land.

5. For a Perpetual Nursery for Breeding of Sea-faring Men, Mariners and Pilots.

6. For Enriching her Majesties Coffers, for Merchandizes returned from foreign Countries; for the Fish taken in her Seas, will keep the Money within Her Majesties Dominions.

7. For Encrease and Enriching Merchants, which do daily decay for want of Men, to Man their Merchants Ships in time of War.

8. For to prevent the great Charge that Her Majesty is at for Imprelling of Men in time of War, and Embargoes on our Merchant-Men, the Fishery, if promoted and encouraged, would prevent these Inconveniences.

The greatest Fishing that ever could be heard of in the World, is in her Majesties Seas, wherewith the *Hollanders* not only serve themselves, but all Christendom, (as shall be made appear) and the Commercial part of the World.

To the four Towns (or Cities) in the *East Kingdoms*, within the Sound, viz. *Queensborough*, *Elbing*, *Statten*, and *Dantzick*, there are carried and Vented in one Year between thirty and forty Thousand Last of Herrings, which sold at fifteen and sixteen Pound a Last, which is the general Price, it amounteth to about six Hundred and twenty Thousand Pound; and the *English* carry none there.

To *Denmark*, *Norway*, *Swedeland*, *Leafland*, *Rye*, *Nevel*, the *Nerve*, and other Port-Towns within the Sound, there is carried, and vented above Twenty Thousand Lasts of Herring, sold at fifteen or sixteen Pound a Last, amounteth to three Hundred and forty Thousand Pound: And our Herrings are there in such great Request, that they are often Sold for Twenty and Thirty Pounds the Last, as the *Hollanders* pick them.

And

*And the English do not send one Barrel
into those East Countries.*

The *Hollanders* send into *Russia* near Fifteen hundred Lasts of Herrings sold at about Thirty shillings a Barrel, and that amounts to Seven and twenty thousand Pound.

The *Hollanders* do send to *Stood*, *Hamborrough*, *Bremen*, *Emden* upon the River : *Elbe*, *Waefer*, and *Emby*, do carry Ten thousand Lasts of Herrings, sold at about Fifteen and sixteen Pounds the Last, amounteth to One hundred and seventy thousand Pounds yearly, and we carry none.

The *Hollanders* to *Cleaveland*, *Galickland*, up the *Rhine*, to *Cologne*, *Frankfort* on the *Mayne*, and so over all *Germany* do carry and vent in Herrings and other Fish taken in Her Majesties Seas, Twenty thousand Lasts, which amounteth to Four hundred thousand Pounds.

The *Hollanders* carry up the River of *Maxe*, *Leidge*, *Mastricht*, *Venlow*, *Deventre*, *Campan*, *Swoole*, and all over *Lakeland* is carried and vented, Seven thousand Lasts of Herrings, sold at twenty Pounds the Last, which amounteth to One hundred and forty thousand Pounds.

To *Guilderland*, *Artois*, *Hanault*, *Brabant*, *Flanders*, up the River of *Antwerp*, and all over the *Spanish Netherlands*, are carried and vended about Nine thousand Lasts of Herrings, sold at Eighteen pound the Last, which amounteth to One hundred and sixty thousand Pounds.

The *Hollanders* carried to *Roan*, of Herrings and other Fish in one year, Fifty thousand Lasts, and sold them at Twenty pound the Last, which amounteth to One Million of Pounds Sterling.

Obs. Between *Christmas* and *Lent*, the Duties of Herrings and other Fish taken in the *British* Seas, came to Fifteen thousand Crowns at *Roan* only; Sir *Thomas Parry* was then Agent for King *Charles II.* who took a particular Account of it; from which it may be conjectured, what vast Sums of Money comes from all his Sea-Port Towns, to enrich the *French* King's Treasure.

Besides the vast Quantities of Fish that is carried to the *Streights*, and the multitude spent in the *Low Countries*, which is there Sold, for many Hundred thousand Pounds more yearly, is necessary to be remembred, and the Stream to be turned to the good of Her Majesties Dominions, to whose Coast, God only hath sent, and given these great Blessings, and great Riches for us to take; howsoever it hath been neglected, to the unaccountable Damage of *England*, that any Nation should carry away yearly, such prodigious Sums of Money, for the Fish taken in Her Majesties Seas, must undoubtedly redound to the great dishonour of the Nation, and hindrance to the Realm.

In a Word, the great Numbers of Herrings and other Fish, from whence they raise so many Millions yearly, and enricheth other Kingdoms and States, and also their own People, proceeds from the Bounty of Her Majesties Seas: And the return of Commodities and Coyn they bring home in Exchange, are so large, as would require a Discourse apart. And all the Amends they make us, is, they beat us out of our Trade in all Parts, with our own Commodities.

In my Travels in the *Low Countries*, a Book came to my Hand: Printed in *Holland*, Anno 1662. Writ by Myn Heer Van de Witt, late Pensionary of *Holland*, Entituled, A Representation of the wholsome Political Grounds, and Maxims, of the Republick of *Holland* and *West-Friezeland*.

Wherein he makes an Estimate of the Number of Souls, Subjects to the *States General*, and computes they are in Number.

And says all these Persons maintain themselves as followeth, *Viz.*

By Fishing at Sea, and to set them out as Fishers, with Ships, Rigging, Cask, Salt and other Materials, or Instruments, and the Traffick that depends thereon.

By

By Land Husbandry, in Land Fishing, } *Mil. Tho. Gen.*
 Mowers of Downs, and Turf-Makers, with those }
 that are to Furnish those Trades with all sorts } 00 200 000
 of Materials, as they are Husbandmen, &c.

By making of all manner of Manufactories, }
 Ships, Mechanick, or Handycraft Works, which }
 are consumed in Foreign Parts; as also Tra- } 00 650 000
 ders relating to the said Manufactures.

By Navigation, or Sailing for Freight only, }
 whereby I mean Freight or Carriage into Fo- }
 reign Parts, to Sell and Buy: As also to car- }
 ry from and to *Holland*, all such Wares and } 00 250 000
 Merchandizes which belong to Fishing and }
 Manufactures, that depend thereon: And last- }
 ly, I include herein, all Inhabitants that are }
 Serviceable to such Traders, and Owners of }
 Ships, let out to Freight amounting in all to }

By all these Inhabitants, as they are Men, }
 Women and Children, to provide with and }
 Work about, all, that is spent in this Land, as } 00 650 000
 Meat, Drink, Cloathing, Housing; Arts ne- }
 cessary for Ease and Pleasure, or Ornament; }
 Household Goods to sell or make.

By the Labour and Care, of all the afore- }
 mentioned Persons, Idle Gentry without Cal- }
 ling, Rulers and Officers in Policy, Usurers, } 00 200 000
 Soldiers, Hospital Men, and those that receive }
 Alms.

In all } 02 400 000

It is observed, That the Fishery is the main Foundation, of
 Employing and Enriching the *States* and Subjects of *Holland*, and
 especially as to the Herring Fishery, which is no where else but
 on the Coast of *Great Britain*. And this Herring Fishing is
 now of above Two hundred years standing; since one *William*
Belkenfon, (as appears by the Records of the *Tower*) Learned
 first to Gill, (or Gip,) Salt, and Pack them up in Casks, with
 the Cod Fishery, and is now become so effectual a Means for
 Subsistence for the greatest part of the World.

Emanuel

Emanuel Van Materan, in his History says, That in Three days time, Anno 1601. There sailed out of *Holland* to the *Eastward*, Eight or nine hundred Ships, and Fifteen hundred Busses, and all Employed in the Herring Fishing.

And Sir *Walter Raleigh* affirmed, (who made very diligent Search, and Scrutiny in this weighty Affair, Anno 1618.) to King *James I.* that the *Hollanders* Fished on the Coast of *Great Britain*, with no less than Three thousand Ships, and fifty thousand Men, and that they employed, and set out to Sea, both to Transport, and to Sell the Fish so taken, and to make Returns thereof, Nine thousand Ships more, and One hundred and fifty thousand Men besides: And says, That twenty Busses maintain Eight thousand People, and that the *Hollanders* had in all, no less than Twenty thousand Ships at Sea, employed in the Fishery.

Leiven Van Aitzma, Anno 1653, and *Malines* in his *Lex Mercatoria*, did affirm, That there are yearly taken and spent by the *Hollanders*, above Three hundred thousand Lafts of Herrings, and other salted Fish, taken on the *English* Seas and Coasts.

And the Fishery's Navigation and Traffick by Sea, with it's Dependencies since King *James* the Ist's Reign, to the Reign of King *Charles* the II. was increased above one third more.

Doctor *Benjamin Worsley*, Anno 1667. sometime Secretary to the Right Honourable the Lords of his Majesties Council, for Plantations and Trade, a Person of very great Ingenuity, and spent some years One hundred Pounds, in making himself Master of the Fishing Craft, by his Travels into *Holland*.

And he did Assert to His Majesty King Charles the Second.

1. That the least Valuation that hath been hitherto generally put upon the Herring-fishing, is three Millions of pounds Sterling, per Year.

2. That the Reasonableness of this Valuation may appear by the number of Busses, usually employed in the said Fishing,

ing, which are said to be at least Sixteen hundred; by the quantity of Fish usually caught in each of the said Busses; by the Registers kept of Import and Export of the said Fish, in the several Custom-Houses in *Holland*, *Zealand* and *Friezland*, and by the known Price that the said Fish usually bears in all Markets.

3. That according to this Valuation, the Fishing alone including it in *Gross*, *Herring*, *Cod*, *Ling*, &c. doth amount to more than either the whole Manufactory, or Commodities of *England* set apart, or the whole Manufactory of *France* apart; and consequently more than all the Plate, and annual Production of *Spain* considered apart.

4. That the Fishing therefore being added to all the Manufactures of *Holland*, (both Woollen and Linnen) and to the Greatness of its *East-India* Trade; doth unavoidably cast a super Ballance upon *Holland*, more than upon any State of *Europe* besides, even near to the Double, and by this means a super-Ballance of Stock and strength at Sea proportionably.

5. That on the other hand if the Scale of the said Fishing, may by any means possibly be removed from *Holland*, and transferred into this Nation; The Fishing so transferred, shall and must cast neat as great an over Ballance upon this Nation, and as great an advantage of Stock, Commerce and strength at Sea as *Holland* it self hath.

6. That the Fishing then is the very Prize of Trade, and Prize of Dominion at Sea, and that singly whosoever Gains, makes himself Master of both these, and that very thing which, whosoever misseth, doth miss of both these.

7. That if we shall therefore, wholly Relinquish the said Fishing to the *Hollander*, with all the Gain and Advantage of it, we shall and must Relinquish, (of Course) to him both the Superiority of Trade, and the Superiority of the Power at Sea. Yea, we shall and must also deprive our selves of all Capacity for ever; to hinder him, in either of those two: both because of the extream Loss. We have had of our Seamen of Late; and because we have neither any Moral, or rational

tional Way, or Possibility left us, of recovering the said Lofs again; unless by setting upon the said Fishery.

8. That the Herring-fishing, tho' proper only in his Majesties Dominions, and tho' attempted by us, has nevertheless hitherto always miscarried with us, even from the very end that hath been propounded to our selves in it, which is to follow the Example of the *Hollander*, and the Gain he makes of it; and the necessity we suppose there is of following the same Method, which we observe him to take in it, which is to Catch and Save, or Cure the Fish in the Herring Busses.

9. That this our Miscarriage constantly in it, hath produced not only a general Indisposition, but a general Despondency on the Nation, any more to undertake it, or adventure upon it, as having entertained a certain Secret perswasion at length, through our unsuccessfulness in it, That our Nation hath not a Genius for it; and that there is a Mystery in it, which, tho' the *Dutch* do well understand, yet we cannot reach it.

10. Whereas, indeed the proper Causes of all our Miscarriages (as I humbly conceive) hath been rather occasioned from the Deficiencies following.

Obs. 1. Because we have not thoroughly considered, That the *Dutch* have many more Conveniences than we can possibly have, if we will make *London* to be the principal Scale; Seat, or Staple for the said Fishing Trade, (as hitherto we have done) and shall Resolve to bring all the Fish that is Caught in Her Majesties Seas into the *Thames*, to be Ship'd off from hence, as the *Dutch* do usually bring theirs into *Holland*, before they can be any where transported.

2. And therefore have not well weighed the great Disadvantage of this very Foundation it self, in regard it is not a Matter of Election, that the *Dutch* do bring in all their Herrings into *Holland* before it be Ship'd, but 'tis a Matter of absolute Necessity, that lieth unavoidably on them*, rather than Choice.

* For the Custom of the Fish must be paid in *Holland*, &c. before they can carry it to any Foreign Market.

3. For

Forasmuch as the *Hollanders* have for near a whole Age been Masters of the said Fishing, and of the present Method of it, in managing it by Busses: And forasmuch as they have been now for so long a time possessed of such a vast Stock, both of Busses, Boats, Nets, and of all manner of Provisions and Conveniences for it, which no other Nation besides hath; * and which none can in any reasonable time, nor without the Expence of at least a Million of Pounds Sterling ever be able to compass.

They must for these Reasons of Necessity be in a Capacity of Husbanding the Fishery in the present Order of it, to a far greater degree of Advantage, than it is possible for any Nation to do besides, who shall Endeavour only to follow them, and Imitate their way, and the present manner of their ordering of it.

4. It seems not to have been duly consider'd, that Fishing hath not only of late, but for many Years been made the very Interest of the *Netherland* State, and been looked upon by them as such an Interest, without which it is every way impossible that they should be able to uphold the Greatness of the their Stock, Power, or Trade.

5. And such an Interest therefore, that as they will never suffer themselves to be Beaten, or Treated out of it, either by Prudence or Force, so never suffer any to share with them in it, if they can any way possibly hinder, or avoid it.

6. And consequently, that inasmuch as, that this is such an Interest, as upon which they themselves know, that the whole of their Stock, Power, Strength, and Commerce at Sea doth not only in part, but altogether depend, they must bend the chief of their Policy, Counsel and Force, not only to discourage any that shall attempt it, but utterly to Beat out any that shall undertake it, even though it should be never so much Loss for some time.

* * Ocasioned by our Neglect.

11. That as it is for these Causes, and upon these Grounds therefore that we have hitherto lost all the Stock that we have ever Employ'd about the said Fishing: So while the said Causes and Grounds do remain, it seems altogether impossible that we should avoid the losing of whatever Stock we shall hereafter adventure in it, or employ about it: Seeing if we shall proceed in no other Method than that we have hitherto accustom'd our selves to, it will always be in the Power of the *Hollander* to under-sell us; and he will be sure purposely to anticipate, clog, and prevent the Market of us, where we shall Trade for the said Fish: provided we continue only in his Course, and set not upon the said Fishing in any other better, or more advantageous Order than that which he is himself so very well seen, verified, and experienc'd in.

12. That by reason of the many Advantages which is known that the *Hollander* hath of us in this Business; and by reason of the Expence which we have often had of our own Loss and Miscarriage in the said Fishing, we come likewise to lie under this further Disadvantage at present, viz. That there can be no ground Rationally to expect that any Stock should for the future ever again be raised to set on Foot the said Fishing, out of the Voluntary Contribution of Ordinary and Private Persons.

13. That these things being thus truly stated, these Deductions following seem necessarily Consequent.

1. That it is altogether in vain ever to expect any Advantage from the said Fishing, unless some Course can rationally be propounded, whereby we may set upon the said Fishing without that Extraordinary Preparation and Charge which the *Hollanders* are necessarily put upon at present.

Nor unless we can be able to under-sell him in it, without any considerable Loss to our selves; nor without can also hope (upon such Grounds and Instructions as are reasonable) that well sha be able to go to Market with the said Fish before him.

2. That

2. That the setting also upon the said Fishery, seems wholly unpractical, if not Impossible; unless such a Stock may be raised and found out for it, that shall not be dependent upon the Subscriptions or Pleasures of any private Persons: And that shall nevertheless be, not only sufficient to begin it, but sufficient also, by being applied constantly to it, and by degrees to promote it; and may be sufficient also in time, with the Blessing of God upon it, both to Defend and Protect it; and therefore to bear the Hazard of such Extraordinary Casualties in it, is not to be expected can, or ever will be Born by the Fortune of Private Persons.

3. That the said Fishing being so great an Interest of State as it is in *Holland*, it can never Encrease therefore with any success in these Nations, but it must expect to meet with many Indignities, Discouragements, and Affronts to be put upon it from our Neighbours, in order to hinder it; and therefore it can never be so far pursued in *England*, as to arrive to any visible Head, and much less to attain to any manner of Growth or Perfection without the Express Authority of the Government to Countenance it, and without the thorough Resolution of Her Majesty, to Defend and Protect it in the Just, and Merchantable Methods of it.

14. Which Foundations as those, are the main and principal ones, being now premised for the full, clear, and entire settling of the whole Affair of the Fishery: These Particulars following are therefore in all Humility supposed to be requisite.

1. The Signal and Express Countenance, and the Royal Sanction of Her Majesty in it, with the publick Authority of Parliament.

2. A Correspondency through Her Majesties Special Favour, Assistance, and Great Wisdom, with the Government and Subjects of Her Majesties Realms of *Scotland*, and *Ireland*.

3. And an exact Method of pursuing the said Fishery in such a manner as may not only be Easie, Feasible, and

Practicable, but as secure and free from all Hazards as we can Rationally or Morally propound things to be.

4. Such a different Manner and Order of Catching, Curing, and saving the said Fish, as shall be every where more cheap than that which the *Hollander* is in the present Practice of, and such as may be soon Expedited and dispatched also, as that the Foreign Markets of the *Hollander* shall be generally anticipated by our Shipping.

5. Such a Body of Instructions therefore as shall be sufficient to give Light to each Particular that may Rationally be supposed to be of Moment with Reference to the whole Affair of the said Fishing.

6. A Select Choice of such Persons as a Council, or Directors of the said Fishing (not exceeding seven or nine) as may not only be of Integrity, but of sufficient Ability to manage all things tending to the Promoting of the said Fishery, pursuant to the said Method and Instructions that shall be propounded; and consequently, such Persons as are Skilled in the practical Part of the said Fishing.

7. That the said Council or Directors have the same Powers and Authority given them, as have been usually heretofore granted to such Councils; together with such other Powers, as to the Wisdom of Her Majesty, and Senators in Parliament assembled, shall be thought fit; and that the said Power and Authorities be Confirmed by Act of Parliament.

8. That Grand Commissioners be also appointed for the chief over-sight of the said Fishing, consisting of the Principal Officers of State, and so many others as the Wisdom of Her Majesty, and of the Parliament shall be thought fit.

9. That the said Grand Commissioners have full Power to call the said Council, or Directors of the said Fishery to Account once every Half-Year, and to see by the Entries of their Journal, Letters, Orders, and Instructions, what Progress they do from time to time make in the said Business.

To

To the End that her Majesty may have a perfect Account of it, and their Faithfulness or Negligence in it; and whatever Accident may happen to Impede, Protract, or Discourage it.

10. That to this End, Duplicates of the said Councils, Journals, Books of Letters and Instructions be constantly Transcribed, not only for the use of the said Grand Commissioners, but that they may be better preserved, and remain upon Record to all Posterity.

11. That the said Grand Commissioners may have Power, with her Majesties Permission, to propound some *Premium*, as an Extraordinary Reward from Her Majesty, to Encourage the Diligence of the said Directors; which *Premium* therefore is to be only out of the Clear Gain that shall be made out of the said Trade of Fishing, through the Prudent Care, and Faithful Management of, and Conduct of the said Directors; and shall be therefore such a Part of the Clear Gain only as to Her Majesties Wisdom shall be thought fit.

12. That the said Grand Commissioners have further Power, with the Royal Approbation of Her Majesty, to give Directions in all such Cases of Difficulty as shall at any time arise about the said Fishery; and also to Hear, and Determine all such other Debates relating to the said Affair, as the said Directors may be doubtful in, or may not be able amongst themselves fully to Adjust.

13. That if upon the good Success, and Blessing of God upon the said Fishery, any of the Nobility, Gentry, or other Private Persons shall desire to Incorporate themselves, for the further carrying on the said Design, and for the making of the Trade of the said Fishing the more compleatly a Publick and National Concern; or if the said Directors shall find it for the Service of Her Majesty, and of Absolute Necessity for the promoting of the said Fishing, to take into Association, any of Her Majesties Subjects of Scotland, or Ireland, with Reference to Fishing of either of the said Realms.

In . . .

In either of these Cases such a Method is to be set down by the said Directors, for the Manner of it is to be wholly approved of by Her Majesty and the said Grand Commissioners.

14. That such a Fund or Stock that may be both Annual and certain, be by the Royal Favour of Her Majesty, Granted and Assigned for the Undertaking, and Carrying on the said Fishing, (and not only for the Encrease of Sea-faring Men, Mariners and Pilots) but for the better Protection and Defence of it, and for defraying the Sallaries, and Contingencies of such as shall be appointed the immediate Directors of it.

15. That for the better preventing either, any Impediment or Interruption that may be endeavoured to be given by any, at any time thereafter, in or about the said Fishing, it is humbly proposed, That the application of the said Fund or Stock, entirely for carrying on the Fishery, and for the Ends now mentioned, may be settled by Act of Parliament; together with so many of these Proposals, and such others as shall be thought fit to be allow'd or approv'd of by Her Majesty.

16. For the greater Encouragement of the said Fishing, and as a particular Mark of the Parliament's Approbation of it, and of their desire to promote it, That all such Persons as shall subscribe a Stock towards the advancement of the said Fishing, and all others, as shall be any ways employed for, or in the Management of it; or for pursuing such Instructions and Directions about it, as shall any way be derived from Her Majesties Authority in it, shall be expressly declared to be taken into Protection by the Government, whether they be Natives of Her Majesties Dominions, or Foreigners; together with all Ships, Busses, Boats, and all other Vessels or Craft whatsoever, that shall be Employed by any of the Persons so Associated in the said Fishing, or from any deriving Authority from Her Majesty in it.

And likewise that all Ships and Vessels which shall be Built,

built or bought by the Stock appointed for the Fishing, or by any that shall further Subscribe to it, shall be exempted from paying Duty, Custom, or Impost for the Fish which they shall Export.

Or whatsoever Salt, Barrel-staves, Net-yarn, Flax or Hemp, for making the said Net-yarn, which they shall Import for the said Fishing during such time, as the Wisdom of Her Majesty and the Parliament shall be thought fit.

17. That for the greater Encouragement of Merchants and others of Wisdom, Knowledge and Experience, to Subscribe to the carrying on the Fishery : And for the better making the said Undertaking, the General and National Concern ; It is further humbly propounded that all such Losses as shall proceed from the mere Casualty of the Sea by Storms, or Shipwracks : And all such Losses as shall happen, through any Injury or Violence that shall be Offered us by any of the Subjects of the Neighbouring Princes or States about us ; shall be so far born and eased, out of the said publick Stock (which shall be designed towards it) as to the Wisdom of Her Majesty, and of Parliament shall be thought fit.

18. That for the further Encouragements of all such Persons to subscribe to the said Fishing, and for Encouraging all Persons of Quality, the more to make the said Undertaking, the General and National Concern of this Nation, it is likewise humbly propounded, That as ample Priviledges may be given by Her Majesty and Parliament, to all such Persons as shall be incorporated in the said Fishing stock, as have been of late Granted by the Act of Parliament in *Scotland*, for the general Undertaking of the said Fishing of that Nation.

15. And in regard not only the Valuableness, but the intire Practicableness of all these Proposals doth wholly depend upon the finding such a Fund or Stock, as is herein mentioned. And upon clearing the Feizability of carrying on the said Fishing, in a way of more advantage than the *Hollanders* is at present, and forming such Instructions as are propounded ; wherefore in order to the compassing both the said Ends, as such a Method, or Practice is herewith humbly tendred ;
and

and such a Body of Instructions for pursuing the said Fishing, as may be answerable to the Ends which are now laid down, and to the Advantages herein mentioned: So there are some Gentlemen, who out of their Affection to Her Majesty's Service, and out of the great Sense they have, how much the gaining of the said Fishing doth Import and Concern this Nation, have digested Proposals to tender Her Majesty about the Præ-emption of Salt, with such a moderate Duty upon it, as may be neither grievous to the Nation, nor burthensome to the Manufacture of it.

By the Benefit of which Præ-emption alone, (nevertheless 'tis hoped) that about Twenty thousand pound Sterling per Year or more, may be easily raised as a Fund or Stock, that may not only give a beginning to the said Fishing, but by a constant Application to it may by degrees increas it, and in time be able to perfect it, and may if the Blessing of God give Success to it, encourage divers others of the Nation to contribute both their Estates, and Advice for the further help of it: So as it is hoped nothing will be wanting, that may Conduce to the compleating of our Desire and Design of undermining the *Hollander* in the present Possession he hath of the said Fishing, which as it is the main, and principal Scope of this Treatise, so of the Discourse hereunto annexed.

16. That both the said Discourses, and the said Proposals about the Præ-emption of Salt, have the rather been tendred at this time, in regard of the late Treaty, His late Majesty was in with *Holland*.

And that considering how much Her Majesty and Subjects have suffered by and from that Nation, it is hoped that nothing in this juncture of Affairs will prove more grateful to Her Majesty, and the Parliament, or more oblidging to the Nation it self; and nothing can be more advantageous for Her Majesties present Service.

17. That by how much the more plainly, and obviously doth appear, That the promoting of the Fishery is for the necessary Good and Interest of the Nation in general from Her Sacred Majesty, to the meanest of Her Subjects, by how much the more highly grateful and oblidging, must it needs be

be to see such a Foundation laid, (in Her present Majesties Reign, to Her perpetual Glory) as may in all Probability ever tend to the exceeding Greatness of it; by so much the more injurious and distastful it must justly render the *Dutch*, to the Generality of this Nation, if they shall either wrongfully disturb us in it, or if they shall endeavour by Violence to force us from it.

18. These Proposals are presented at this Season, that upon this occasion, the antient Rights of Her Majesty derived from Her Royal Progenitors, and the known Customs of this Nation, may be further examined, and inquired into, (if what is asserted in this Treatise, is not sufficient to justify Her Majesties Title,) viz. for Granting not only a Guard and Protection, but Express Licence of all Fishers whatsoever; Fishing in any part of Her Majesties Seas, and for the Demanding a Duty upon all Fish therein Caught, in any part of Her Majesties Seas, toward defraying the Charge of the said Guard and Protection, not only from the Subjects belonging to Her Majesty, but also to all Foreigners.

And that if the said Custom of giving Licences and Protection to all Fishers, be found to be the undoubted Right of Her Majesty, and of this Nation, (as it is beyond all Contradiction) The said antient Custom may receive such further Sanction, Assertion, and Confirmation from Her Majesty, and from the Parliament, as to the Wisdom of Her Majesty and Parliament, shall at this juncture of time be Judged most convenient.

19. *Lastly*, These Proposals are the rather tendred, because notwithstanding the extraordinary Wealth, which the *Hollanders* doth continually reap from the *British* Sea by the said Fishing; and notwithstanding the many Laws, which they have made for the Encouraging, Regulating, and promoting the said Fishery (which are about Thirty.) And notwithstanding the several Affronts that hath been offer'd to us, both in the *English* Channel, and *Scotland* by their Fishers; and notwithstanding the several Proclamations has been Issued out by our former Kings, to vindicate their Rights against the Insolences of the *Dutch*, both to the said Seas and the Fishing: Yet no Par-

liament of *England* hath hitherto, either made any Law purposely, or principally for Encouraging of and Encreasing the said Fishing, or hath ever raised or appointed any Fund or Stock towards it; or hath Erected any Special Council about it, or encouraged the Nation it self to undertake it, or hath warranted the Protection of it.

So prodigiously Rich is the Fishing Trade; and the undoubted Right of the Kings and Queens of *England*, That with good Reason, hath our Supine Negligence been taken Notice of by all *Europe*; and our Prudence, and Policy very much questioned by it, That we keep so little a Share of it to our selves, and suffer our Neighbours to grow Rich, Haughty, and powerful both by Sea and Land; by the full and peaceable Enjoyment of that considerable Trade.

And it was a most unlucky piece of Goodness, that *England* ever suffered a Foreign Buys to visit the *English* Seas; For had that Permission been obstructed, The *French* and *Hollanders* had never been so Potent at Sea as now they are:) The Tributes and Acknowledgments were paid them then in Return of that Favour.

And it appears by Sir *William Petty's Political Arithmetick*, (in a Book Published, *Anno* 1691.) that the *Hollanders* had then Nine hundred thousand Tun in Shipping, and *England* but Five hundred thousand Tun. So that to value the Shipping of *Holland*, great and small, new and old, one with another, at Eight pound *per* Tun, amounteth to Seven millions, Two hundred thousand pound Sterling. And the *Hollanders* Capital Stock in the *East* Company, is valued at above Three millions of pounds Sterling, and all this, and the Wealth and Strength they are now arrived to in general, has been Fished out of the *British* Seas.

Having thus treated of the Fishery, and more particularly of the Herring-fishing, though I reckon upon the Cod and Ling, Haddock, Salt-fish, &c. in Gross; I have diligently perused, and Extracted, and Digested whatever I could meet with upon that Subject, and I find that my Discourse will fall under these three Propositions.

1. That it is of great and certain Advantage.

2. That

2. That it lies fairer for the Subjects of Her Majesty of Great Britain, than for the *Hollanders*.

3. That if it be Encouraged, and Established by Act of Parliament, it will prove the Foundation of an ample and lasting Revenue to the Crown, and of Wealth and Prosperity to the Nation, in the Consequences being an Undertaking, not only of common Benefit, but (as the Case stands) of absolute necessity to the Safety, and well-being both of the Queen and People.

1. *The Fishery is of great and certain Advantage.*

Touching the Advantages of the Fishery, I presume there will be no Dispute, since it is (not only made appear in the foregoing Discourse) but also granted by all the Commercial part of the World, that the *Hollanders* are beholding to it for the Rise, and support of their Greatness, for their Reputation, Wealth and Strength, both at home and abroad; insomuch, that the Herring, Cod and Ling, &c. taken in Her Majesties Seas by the *Dutch*, and other Strangers) are valued *Communibus Annis*, at no less than ten Millions of pounds Sterling, which Computation hath been often Published, and constantly received for Current, without any Contradiction, when the *Hollanders* had not one half of the Shipping they now have.

2. *That the Fishery lies fairer for the Subjects of Her Majesty of Great Britain than for the Hollanders.*

As the Fishery is very considerable, so it lies much fairer for us than for them, in regard we have many Advantages towards it which the *Dutch* want, and that we hardly want any thing which they have (save only the Industry) which may be easily promoted by good Order and Discipline.

First, We have the Fish upon our Coasts. (I might have said upon our Shores) where in Case of Storm, Unlading, taking in Provisions, and the like, it is seldom above four or five hours Work (and most commonly not so much) to recover a Harbour, and without any loss of time, to refit and put

to Sea again; whereas the *Dutch* have usually a Hundred or two hundred Leagues to Sail before they come to their Fishing, and there they lie at the Mercy of the Winds, for want of a Port to put into; and in Case of Unlading, they have as far back again, which takes up a great deal of time, hinders their Business, and endangers the Loss of their Markets.

It is true they have their Gagers many times to take off their Fish at Sea, and re-furnish them with Cask and other Necessaries; but if it happens to be a rowling Sea, they must lie still and wait for a Calm; whereas with us that are in Harbour, the work of Unlading, Repacking, and sending our Fish away to the Fish-Market goes on in all Weathers. So that in respect of the Nearness of the Fishing, we have much the better of them; and no less in the Commodiousness of our Ports, Rivers and Creeks, to receive the Busses on all Occasions.

As to the Charge of a Fishing Vessel with her Furniture; Tackle, Salt, Cask and Provisions, there is hardly any thing that belongs to it (except Pitch and Tarr) which we have not of our own Growth, whereas the *Hollanders* have little of their own towards it, but Cheese and Butter, which is cheaper with us too than with them.

Quer. Now if the Fishery be so Profitable and lie so open upon us, that we may Master it with less Expence, Difficulty or Hazard, than the *Dutch*; it is our own Fault if we do not improve it, to the greatest temporal Blessing (perhaps) that Providence ever bestowed on any People.

Some indeed will have it that we want Men, others that our Men will never take to it.

To the first I answer, (under Favour) That we have Men enough, but they are Idle and live upon the Publick, to the reproach of the Government, without any return of Labour, and Industry for their Bread; but let these People be set at Work upon the Fishery, and we shall have hands to spare for the Service of Her Majesty so well as the Fishery.

The second Exception is a Contemplation at large, *viz.* That the Genius of this Nation will never endure the Hardships of that Employment.

To which, I Reply, That the *English* do daily run greater Hazards, and suffer greater Hardships in other Voyages, than they do in this, and that they are in very many Cases inur'd to harder Labour, for certainly the working of a Mine, where many times,

times, they are up to the middle in Water, and the working in the Colliers is incomparably beyond that of a Buſs.

But to come to the very Point it ſelf, ſo far are the *Engliſh* from an Aversion to the Fiſhery, that they do apply themſelves to it; as *Whitby, Burlington, Scarborough, Tarmouth and Layſtoſſ*, and indeed the whole Coaſt will juſtifie, for ſo ſoon as ever the Harveſt is over (where the Herring Seaſon comes on) the Boys and Country Fellows preſently flock to the Coaſt, to be Hired into the Fiſhing, and upon the Tryal find it ſo much to their Liking, that after a ſecond Voyage, there is not one in twenty of them, but takes up to the Sea for good and all, without ever returning to their Rural Employments.

To make it yet clearer, it will not be amiſs to take this general Objection to pieces, and diſtinctly to examine the ſeveral Difficulties, that occur under the Notion of Fiſhing Hardſhips; for to ſay that the *Engliſh* will never do any thing, but where they may lie warm and dry, and fill their Bellies; and take their Eaſe (will never carry the Point in Queſtion,) and that the *Hollanders* will endure Hardſhips better than the *Engliſh*, but I would fain know what ſort of Hardſhip it is, (conducing to this Affair) wherein the *Dutch* go beyond us.

Are they harder to Encounter the Dangers of the Seas?

In this Point we may appeal to every Days Experience, and leave the whole World to Judge betwixt us.

It is the Hardſhips of lying, expoſed to cold Blaſts and Storms?

Herein lies a miſtake, which I muſt confeſs has gain'd ſome Credit, and it is worth the while to ſet it to Rights.

Be it known then, That the Herring-fiſhing in Her Majeſties Seas begins in *June*, and goes out in *November*; and that for the Firſt four Months (which is the beſt time, both for Profit and fair Weather) we never ſo much as look after it, but fall in upon the Winter-fiſhing from *September* to the End of *November*, which is the moſt tempeſtuous Seaſon in the Year. And then in *January* we fit out for the *North* Seas, and ſpread the remainder of the Winter, in all Extremities of Cold and Hardſhips. This is enough to ſatiſſie any Man, that our Skins are as good Proof againſt Wind and Weather, as theirs.

But I will put it yet further, by ſuppoſing that the Winter-fiſhing would be too hard for us. What excuſe have we now for
not

not making the best of our Summer-fishing, which is far the more gainful of the two ?

And truly the Hardship of Course-feeding does not amount to much neither, tho' I know great Stress is laid upon it, how pitifully their People fare ; and that an *English* Body will never be able to live on a *Dutch* Diet.

If so it were, That an *English* Diet could not be had ; and that a *Dutch* one would not serve the turn, it were something, but that is not our Case ; for here, he that cannot feed upon the one, may have the other, and I am induced to believe that the Work will go on with good Beef, Pork and Pease, every jot as well as with Roots and Cabbage : Not but that the *English* can bring their Stomachs down too upon any honourable Occasion to the grossest Food imaginable, as has been often seen among the besieged in the late Wars of *England*, and in *Ireland* ; but they are naturally of so generous a Temper, not to mortifie their Carcasses to save their Purses, which in this Particular is the only ground of Exception ; it will augment the Charge, that is to say, whereas a *Holland-Buss*, after their way of Victualling clears a Thousand pound a year, and an *English-Buss* will clear about Nine hundred and ninety Pounds *per Annum*, according to ours ; which Ten Pound difference, I do only admit for quiet sake, and to shorten the Dispute, as being the most that any Man can pretend to, and more too in plain Terms than the matter will bear.

For the *Dutch* Victualling is the same with ours, so far as Beer, Biscuit, or Butter and Cheese ; all which we can lay in much Cheaper than they, (by reason of their great Impost) so that it is but adding the Charge of Beef, Pork, &c. which (to take it at the worst) comes but to Fifteen or sixteen pound more, and then discounting for the other Victuals which it saves, for the difference of Prizes, and for the Brandy, which the *Hollanders* drink more than ours, and there's the Account made up.

Besides that the very Supposal from passing from a good Diet, to a bad, is a great Errour, for the Country-men, that put themselves into the Fishing, fare incomparably better at Sea, than ever they did at Land, for besides the ordinary Provision, which they carry to Sea, they feed upon the Fish they catch, which for Variety and Delicacy, being fresh taken, is a Treat beyond what is to be had at any Noble Man's Table

ble ashore, and improves them at such a Rate, that of pitiful Weaklings at Land, they come in a Voyage or two, to be Hearty, Stout, and Healthful Persons.

There is another Objection raised from the Strictness of their Government, where People must either Work or Starve, which says, That the Hardships of the Fishery are so great, that if it were not barely to keep Life and Soul together, no body would meddle with it; and that the Fishery is merely supplied out of such a sort of People.

My Answer is first, That the Foundation is a Mistake; for it is already made plain, that there are no such terrible Hardships.

Secondly, for Argument sake, I will take all for granted, as well the Hardships themselves, as the Necessities that make People undergo them, let it be but agreed that by the force of those Necessities the thing is done at last.

For then by a stronger Reason it may be done by us, who have ten Men for their one, who have nothing to live upon but their Labour, Persons that are ready to Starve for want of Work.

There are two Lions more in the Way. 1. Our Herrings are in no Esteem Abroad, because we have not the right way of Curing them. 2dly, We shall never make any thing on't, for the *Dutch* will under-sell us, by Freightings Cheaper, and consequently Beat us out of the Trade for want of Vent. To which in Order...

1. There are two ways of Curing Herrings, The one at Sea, where they are Gipp'd immediately upon the Taking, and so Barrell'd up; the other at Land, where they are Gipp'd and Pack'd some Days after they are Taken. These we call Shoar-made-Herrings, and we know before-hand, that one Barrell of the other is worth twenty of those, (for Goodness) and that they will never take the Pickle kindly unless their Throats be out as soon as they are Caught.

So that it is a great Error to take a Shoar-made Herring for a Tryal of our Skill of Curing; but for those we make at Sea, they are as good and as well Esteem'd Abroad as any *Dutch* Herrings whatsoever, and above Twenty Years since, were sold above Two Hundred Barrels in the
East

East Countries, at Four Pound a Barrel : I wish we were no more to Blame for not Taking them than for not Curing them. But what, if really we could not Cure them ? It is not impossible to Learn : And further, 'twas the *English* taught the *Hollanders* in *Henry* the Eighth's Reign, to Pickle and Pack, &c.

2dly. The other Suggestion that the *Dutch* will Beat us out of our Trade, is either of no Force at all against the Fishery, or it is much more forcible against the Merchant and the Collier ; for this Trade lies under our Noses, and more in our Power than in theirs, or any other Nation. And to discourage our Fishing, upon these Considerations, is all one as to bid us to quit all Navigations whatsoever, and leave our selves at the *Hollanders* Mercy, or in Effect, a Prey to all Comers.

And then to Fear the want of Vent, is to imagine the People will leave Eating, for a great part of the Trading World lies unserved ; neither can any Man shew me that ever our Herrings lay upon our Hands for want of a Market.

I think enough is said, 1st. to shew the Advantages of the Fishery. And 2dly, that we may easily Master it if we please : It remains now that we take Possession of it, and apply the Profit to our Selves.

3. If the Fishery be Encouraged and Established by Act of Parliament, it will prove the Foundation of an ample, and lasting Revenue to the Crown, and of Wealth and Prosperity to the Nation in the Consequence, being an Undertaking, not only of common Benefit, but as the Case stands, of Absolute Necessity, to the Safety and well-being both of the Queen and People.

In pursuance of my Assertion, I am now to make good, that the Fishery being duly Encouraged and Established by Act of Parliament, will prove the Foundation of an ample and lasting Revenue to the Crown, and of Wealth and Prosperity to the Nation.

That it will prove an Ample, and Lasting Revenue to the Crown, is apparent,

By

By the great Customs that have been paid to the States of *Holland* (for over and above the Customs of other Merchandizes, Licences, Excise, Waftage and Laftage) there was paid to the States for the Custom of Herring and other Fish, above five Hundred Thousand Pound in one Year, and this Account was taken about Thirty Years since, when the *Hollanders* had not one Third of the Shipping they have now. So that beyond all Dispute, if the Fishery were Encouraged and Established by Act of Parliament, there would undoubtedly accrue, an ample and lasting Revenue to the Crown by the Daily Encrease of Her Majesties Customs, which I look upon as a Treasury that will much more than defray all Her Majesties Naval Expences whatsoever. To say nothing of what will be Advanced in Her Customs by Commodities Imported for our Fish in Return.

And I may very well reckon upon it also as a Foundation of Wealth and Prosperity to the Nation; for I cannot cast my Eye upon any sort or condition of People that is not (or will) be the better for it, and the Community most of all.

1. It will bring in, all other Commodities upon Truck, which we now pay Ready Money for, to an Inestimable Value, and it will keep the Cash in the Nation.

2^{dly}. It will Ease this Nation at least Three Hundred Thousand Pound *per Annum* in the very Tax to the Poor, by Employing all sorts of People, and turning the Great Burthen of this Land into an Equal Benefit, and it will be a Re-peopling of the Nation too, by adding so many lost Hands to the Service of the Publick.

3^{dly}. It would be Endless to run through all the Particulars; how it begets Commerce; it would fill Her Majesties Coffers; People Her Dominions, and consequently raise the Price of Land; Enriches the Merchant, both by Exportation and Importation, and the Tradesmen, by setting all Hands to Work; and it is Remarkable, that Ten Thousand Pound Employed in the Fishery, Employs more People than Fifty Thousand Pound in any other Trade whatsoever; it Excites Industry, and would clear us of Vagrants and

Q

Beggars,

Beggars, and ordinary Servants might get many a Pound by making Nets at Spare Hours.

Let it not be Imagined that I speak all this without Book; for I have my Calculations from Sir *Walter Raleigh*, Sir *John Burroughs*, and many other Learned, and Experienced Authors, who computed the Yearly Value of the Fishery at above Ten Millions *per Annum*, when the Dutch had not half the Number of Busses, which they now have.

But be the Profit more or less, rather than differ upon that Point, we'll cast all our Millions into the Sea again, and yet set up the Fishery, though we should Trade to Loss; for it seems to me of so Absolute a Necessity, that (Humanly Speaking) we cannot well, nor long subsist without it.

If we let our Navigation fall, we are Lost, and how to support and supply it without the Fishery, I do (nor can) not Comprehend; The Men of War, and Merchant-Men consume Seamen, and breed none, (or very few) the Collier brings up now and then an Apprentice, but still spends more than he makes. The only and common Nursery of Seamen, is the Fishery, (sufficiently Exemplified by the *Hollanders* and *French*) where every Bus brings up (it may be) six, eight, or ten Men every Year; so that our Fishery is just as necessary to our Navigation, as our Navigation is to our Safety and well-being; and it is universally observed, That all Princes and States are stronger or weaker at Sea, according to the Measures of their Fishery.

Nor is it only for the Number of Seamen that we are Indebted to the Fishery, but for the Value of them also, for there never were more Brave Officers in the World than those that have been trained up in that School, as any Man that desires to be better Informed, may easily satisfy himself.

Nay, if they were only to be Employed as Pilots, their Services would more than Countervail the Charge, for their Business lies where our Danger lies; they know all the Rocks and Shelves, and there's no Coasting without them: How many brave Ships have we Stranded for want of a Piti-ful Fisherman Aboard to forwarn us of the Danger? And I have heard it confidently affirmed, that in the last Dutch War a great Part of the Royal Fleet had Perished if it had not been for the Fishermen; neither can any pretend so much

as to Pilot a great Ship up the River of *Thames* without a Fisherman.

As we can do nothing at Sea without the Fishery, so I am afraid we shall make as ill a Shift at Land, for we have a Bold Coast, and for want of People upon it to defend it, we lie open to a Thousand Mischiefs. The Fishery will relieve us in this too, by Planting a Trade there which will draw on Commerce, and consequently Re-people and strengthen us.

If it be ask'd me how we have done for Seamen all this while? (that the Fishery has been neglected) I Answer, That we have done for Seamen as some People do for Money, that have but a Thousand Pound in the World, and Play away Five Hundred of it in one Night; we spend upon the main Stock, and it will never hold out. It has been the Fishery (even as Poor as it is) that has supported us all this while, and when that Dies, a Man may foretell without the help of an Oracle, that the Glory of *England* will not long out-live it.

When I speak of the Fishery, I desire to be understood of the Fishery in General, as of Cod and Ling, &c. as well as the Herring, which is esteemed well nigh as gainful too as the other, (as hath been already observed.) There is not any Subject perhaps that has been more Laboured at, and to less purpose than this, and the Reason possibly may be, that we have only taken a Prospect of the Pecuniary Advantages which we may live without, and given no heed at all to that Consideration of State, which makes it of Absolute Necessity to our Preservation.

To Contract all in a Word, If any Man shall say, That I have over-rated the Fishery, and the Influence it would have upon the Prosperity of *England*, let them reply to Sir *Walter Raleigh*, and Sir *John Burrows*, and the other Persons of Note that I have Quoted, who have studied and made particular Deduction of the Value of it.

Or if I have not sufficiently Proved, that it lies fairer for us than for the *Dutch*, or not fully answered all Material and pretended Objections to the contrary, I shall be glad to be better Instructed.

Or (the Profit apart) If we can ever be either happy or safe without Navigation, or maintain that Navigation without the Fishery, and manage it without Pilots; if this may be done, all is well: But if not, I may then conclude that the Fishery is of an Absolute and Indispensable Necessity to the well-being of Her Majesty and People.

The End of the Third Part.

PART.

PART IV.

Wherein is Humbly laid down some Measures, for the further Encouraging of Sea-faring Men and Mariners.

IT is a Universal Observation, that Pleasure or Profit is the Load-star, that draws all Men unto all Actions.

The most inducing and prevalent is that of Profit; 'Tis that the Divine prays for, the Soldier Fights for, the Lawyer Pleads for, the Merchant Plows the Sea for, and the Countrey Swain Till the Land for.

And since Interest is the greatest Encouragement to all mankind, and the Axle on which all Negotiations (and Affairs of the greatest Importance) turns upon, I have Trespast to lay down some Measures for the better Encouraging of Sea-faring Men, and Mariners in Her Majesties Service.

The two Pillers that must Support and Encourage them are:

First, Being well (and constantly) paid for their Service: And therefore Humbly offer some Reasons, for paying and satisfying their Tickets with a small allowance.

1. That the allowance of One shilling *per* pound at *London*, and One shilling and three pence at other Ports, will not be above Five or six pound *per Cent*, which is no more than their Charges (have or will be) in going to receive their Money after they have stay'd Fifteen or twenty Months, sometimes longer at the *Buoy* in the *Nore*, *Chatham*, *Portsmouth* or other Ports

parts where they are generally paid : Whereas formerly Seamen, have been necessitated to discount their Pay, for Support of themselves and Families before the Ships come to be paid, and have allowed from Thirty to forty *per Cent*, or more.

2. And by this method the Seamen being well paid, it will exceedingly Encourage them to serve Her Majesty, so that a great Charge of Tenders, Imprest Money, and Bounty-Money will be thereby saved.

3. It will be of very great Advantage, because sometimes the Seaman when he comes home, (and finds not Money to pay him) Sells his Wages at very great Loss, which Loss makes him incapable of paying his Creditors their whole Money ; and for fear of a Goal, he takes away many times what he has, and withdraws himself from the Nation, and enters into Foreign Service, and leaves his Family to Starve, or be maintained by the Parish, to the great Burthen of the Inhabitants.

4. It will encourage Tradefmen, to trust them (and their Wives) when they are at Sea, upon much more reasonable Terms, when the Tradefmen knows, that at the return of their Ships, they may have their Money without staying Three or four years, and sometimes longer for their Money, as they have done.

5. It will also save the Nation a great deal of Money, both in Wages and Provisions, in regard they need not keep the Seamen longer in Pay than they serve ; since they can receive their full Pay upon their Tickets, when produced at any Port ; which often for want of Money, hath brought a greater Charge upon the Government to pay them (by their delay of Payment upon their first coming to Port) than the whole Debt due to them was at first.

6. It will prevent a great deal of Trouble by Recalls, for the manner of transferring Men from Ship to Ship without Tickets, hath oftentimes prevented Seamen in their own Persons (by their being in other Ships in remote Parts) to appear when the Ship is call'd to be paid, and have been forced to have stay'd for their Money several years longer, until the Ship cometh to a Recall, and they be present.

7. The Seamen being well paid, it will highly Aggrandize Her Majesty and the Nation ; and it will prevent them from
Deserting

Deserting Her Majesties Service, and in a great measure, stop for the future the Clamours that have been made by the Q's and R's.

The Second Encouragement is,

2. That Provision be made for them for their Support, in Case they are disabled, and not capable to serve on Board the Men of War, and if Slain, that their Wives and Children may be taken Care of.

Pursuant to His late Majesty King *William's* Commission, * for the Royal Hospital of *Greenwich*. Wherein it is thus Inserted, *Pag. 6th. and 7th.*

Whereas we are extremely desirous that the Trade, Navigation, and Naval Strength of this Realm of *England*: (Whereupon the Safety and flourishing State thereof does so much depend) should by all Proper means, be promoted and advanced. And whereas we are perswaded, that nothing will more effectually contribute thereto, than the Endeavouring by due and fitting Encouragements, to encrease the Number of *English* Seamen, as well for the strengthening our Royal Navy, and the better performing the Naval Services of us, our Heirs and Successors; as for the Supplying and Carrying on the Occasions, and Business of our Merchants, and other our Loving Subjects, interested in Trade, Commerce, Fishing *, Plantation, Discovery and other Affairs relating to Navigation.

And whereas the Sea-faring Men of this Kingdom, have for a long time Distinguished themselves throughout the World by their Industry, and Skilfulness in their proper Employments, and by their Courage and Constancy manifested in Engagements; and Hazards for the Defence and Honour of their Native Country, and nothing is more likely to continue this their antient Reputation, and to invite greater Numbers of our Subjects, to betake themselves to the Sea, than the making some competent Provision, That Seamen, who by Age, Wounds, or any other Accidents shall become disabled for the Service at Sea, and shall not be in a Condition to maintain themselves, comfortably, may not fall under Hardships and Miseries, but may be supported at the publick Charge; and that the Children of such disabled Seamen as shall happen to be Slain in His Majesties Service, may in some reasonable manner be provided for and Educated.

And

And whereas, having frequently reflected upon the Premises, since our Accession to the Crown, we have determined with our selves, to Erect and establish a Hospital, for the Purposes aforesaid.

And although by reason of the Expensive War, in which we have been, and are at present Engaged, we have not been able to carry on the said Good, and pious Purposes to such Effect as we have desired, &c.

Commission Page the 12th.

And whereas the great and earnest Desire which we have to set about so Good and Pious a Work, hath engaged us to begin the same at this time, although by reason of the present Necessity of our Affairs, We cannot advance so considerable Sums for the beginning and carrying on the said Works as we do desire and intend, and (by God's Blessing in times of Peace) shall be enabled to do.

Yet nevertheless, as a further Instance of our Princely Zeal for advancing the said Design, We have Resolved and Determined, and do hereby Declare, and make Known, That from henceforth we will Yearly cause to be Issued and paid out of our Treasure, at and upon the Feast of the Birth of Our Lord Christ, in every Year, or at such other time in the Year, as shall be desired by our said Commissioners, or any seven or more of them, the Sum of two Thousand Pounds for, and towards the Edifying, perfecting and Endowing the said Hospital, &c.

Page the 13th. Of the Commission.

And having no doubt but that great Numbers of Our Good Subjects will be disposed, to the follow our Example, and with great Chearfullness and Readiness Contribute to the Advancing so Charitable a Design, which, besides the Relief of so many Poor, Disabled, and Necessitous Persons, will prove of great Advantage to the Kingdom, in the encreasing the Navigation and Naval Strength thereof, by encouraging fit Persons to betake themselves to the Sea Service, as soon as Our Royal Intentions in the Premises shall be made known, and that their assisting us, in the Building and Endowing the said Hospital, will be most highly acceptable to us.

And

And to the End that Our Intentions in the premisses may be better known to Our Loving Subjects, We do hereby Require you the Commissioners to cause publick Notification of these Presents, or the Tenour or Scope thereof to be made in such places, or by such Ways and Means as you shall think most Conducibile to the Furtherance of the said Charity.

Page the 14th. Of the Commission. Parag. 2.

And Our Pleasure is, and we do hereby Require and Command, That you our said Commissioners, or any Seven or more of you do from time to time, Certifie to the Commissioners of Our Treasury now being, or to the Treasurer or Commissioners of Our Treasury for the time being, the Names of the Persons, Societies, Bodies Politick or Corporate, who shall Subscribe or Contribute, Give, Devise, or Appoint any Moneys, or any Real Estate, or other Matters or Things towards this Charitable Design, with the Sums of Money, Goods, Chattels, Estates, or other things by them Respectively Contributed : Given, Limited, Appointed, or Devised, to the end a perpetual Memorial may be made of such well-disposed Persons who shall become Benefactors, as aforesaid, whereby the Treasurer, or Receiver-General may be Charged with more certainty in his Accounts.

Page 15th. Last Paragraph.

And We do hereby for us, our Heirs, Successors, strictly Command, Enjoin, and Require, That none of the Moneys, or other things which shall be Given, Contributed, Devised, Bequeathed, Designed or Appointed, as aforesaid, shall be Diverted, Issued or Applied, or be in any wise Applicable to any Use or Purpose whatsoever, other than to the Charitable Purposes before-mentioned, or some of them, or to Defray the necessary Charges relating thereunto.

And to the End, that the Building and Fitting the said Hospital may be carried on with as much Speed as is Possible, We do by these Presents give full Power and Authority to you our said Commissioners, or any Seven or more of you, of which, any one or more of you, our Privy-Counsellors, or any one or more of you the Commissioners of our Treasury;

R

fury;

fury ; or any one or more of you the Commissioners for Executing the Office of the Lord High-Admiral of *England* for the time being, to be three at the least, when, and as soon after as we shall have Approved under Our Sign Manual your Report and Certificate on that behalf, &c.

Some Observations on the Royal Hospital, as aforesaid.

The Royal Hospital of *Greenwich* being Situated on the River *Thames* (the most Glorious Silver Stream under Heaven) and in the View of all Foreigners that Navigate the River up to *London*, so well as our own Natives.

It must undoubtedly highly aggrandize Her Majesty, and the Nation if it were Finished and Endowed, to the great Rejoycing of the Seamen, and Astonishment of our Enemies, to see so Glorious a Pile of Building Completed and Endowed, notwithstanding the great Expence of the War.

And on the other Hand, if it be not done, it will be a Discouragement to the Seamen, and a Reflection to the Publick.

And it may be supposed, that it will be many Years before the said Hospital be Finished, much less Endowed (by reason of the great Taxes that are upon the Subjects,) if there be not other Measures found out for doing the same then the Voluntary Contributions or Dones of well-disposed Persons.

But if Her Majesty out of her Great Wisdom and Goodness, Piety, and Charity, (to Encourage and Promote that Noble Design) shall be Graciously pleased to give Encouragement by way of *Premium* to any Person that can propose Measures to settle a Revenue upon the said Hospital.

The Author humbly conceives there may be ways found out to settle a Revenue on the said Royal Hospital without any Charge to the Crown, or touching any Man's Estate or Publick Revenues, Fee-Simple, or being Burthenson to the Subject.

There hath been several Precedents of the like Nature for Encouraging the Subjects, for making Discoveries for the Good of the Publick; as in *Edward* the Fourth's Reign, Encouragement was given to the Discoverer of one third Part of the Value of any Conceal'd Estates that did belong to the

the Crown: By the Custom of the *Peak* in *Derbyshire*, a particular Part doth belong to any Man that doth first find out the same, and after he hath taken his Possession, which is by driving a cross Stake in the Earth, he having made Election of so much as he may by the Custom. Whether the same be a Meer of Ground, which is about twenty nine Yards, or half a Meer, or what he pleases, and may Lawfully be demanded by the Custom; they term him the first Founder.

And there was an Act of Parliament in the Late King *William's* Reign for Encouraging any Persons that could discover any of these Conceal'd Forfeited Estates in *Ireland*, should have one Fourth part thereof for so doing.

Having thus Treated of the Naval Affair of *England*, I hope it may not be unacceptable to proceed to the Inland Staple of the Nation.

His Late Majesty King *William* of Blessed Memory, in all his Speeches to the Parliament, (out of his wonted Goodness to the Indigent) was Graciously pleased to recommend to them the Care of the Poor of *England*, in these Words, *That He could wish there were some Effectual Way found out for Employing of the Poor, that are so Burthensome to the Nation.*

And therefore I humbly Offer some Considerations of the Poor of this Nation.

That there is an Incumbent Necessity to provide for the Poor, as an Act of Mercy so well as the Fundamental of Religion, is a Truth beyond all Contradiction.

The Poor of any Nation are like the Hands and Legs to the Body, for they Work to feed the Devouring Mouth.

And therefore the Poor ought not to be despised or trampled on, but Encouraged and Cherished; Encouraged in Honest Employes, and Cherished in Sicknes and Distress; that is to say, the Industrious Poor that would Labour if they could get Work.

But as to Vagrants and Vagabonds, they are the very Scum of the Earth, and it would be much better if they were out of the World than in it, being useless, and many times Mischeivous in a Commonwealth.

The Industrious Poor Considered, and how Necessary they are to Government.

'Tis the Poor that Tills and Manures our Lands.

'Tis the Hands of the Poor that Improves our Woollen Manufactory, and makes our Cloathing.

'Tis the Poor Seamen that must defend the Nation from all Foreign Invasions.

And 'tis they that must carry the Merchants Ships to Sea, to the Enriching Her Majesty by the Customs, and the Merchants by their Voyages.

'Tis the poor Soldier that must fight our Battles.

In fine, there is not any thing serviceable to Man, but it is, and must be carried on by the Hands of the Poor.

And since it is made appear, That the Poor are so serviceable to the Publick, it ought to be considered what is the occasion of the Encrease of the Poor.

And what Measures can be taken for to prevent the Encrease, and to Employ the Poor of the Nation.

Want of Trade, is beyond all dispute, the occasion of the encrease of the Poor.

And without some Measures can be found out to Retrieve our Lost Trade, all our Pretentions for Employing the Poor will be but Chimerical Undertakings.

'Tis Trade and Commerce that is the true Philosopher's Stone that Enricheth all Kingdoms and States.

And there is not any way to recover our Lost Trade, but by regaining and Establishing the Fishery, so as to make it a National Concern, and preventing the Exportation of our Wooll.

As to setting the Poor at Work, there hath been several Pretenders to Undertake that Great Business, but the Measures they have as yet taken, and are now about, will be so far from answering the End Intended or Desired, that it is quite Retrograde to it; as if a Man is Bound to Dover and Rides by the way of York from London.

As shall apparently be made to appear.

The Proposals that are now on Foot for removing this Heavy Grievance of the Nation, is to Erect Work-Houses in all the Corporations in *England*, or where they shall be thought.

thought Convenient, in order to provide Work to employ the Poor.

1. The Erecting of such Work-houses must inevitably be a great Charge to the Subjects, and the keeping of them in Repairs.

2. The Salleries that must unavoidably be allowed to the Officers, Clerks, &c. must swallow up a vast Revenue *per Annum*.

3. As to the Specious Pretence of Carrying on this Design for employing, and Providing for the Poor, (the better to Secure the supposed Interest of the Undertakers) they would be Impowered by Act of Parliament (to Impress) or Compel the poor Subjects to Work as many Hours as they shall please, and at what Rates or Prizes as they please, and must be obliged to Eat such a Diet as the Undertakers shall think fit.

4. It is desired that it would be considered, That the compelling of People to Work, (unless they be Vagrants) would be absolutely opposite to the true antient Laws and Liberty of the Subjects of *England*; and if so, they must make every Work-house a Prison, or else they will never be Confin'd to Work contrary to their Inclinations.

So that the Intended Hospitals for the Relief of the Poor would be but so many *Bridewells*.

But admit it succeeds according to the Intentions of the Undertakers, that is to say, That the Wooll that is Spun by the Poor in these Work-houses shall be Weaved into Fustian: This would prove as Fatal to the Clothiers and Drapers, and the Woollen Manufactory of *England* in General, as the bringing in of the Wrought Silks from the *East-Indies* did to the poor Silk Weavers.

So that then we shall treble the Number of the Poor of *England*.

Further, it does appear by the Journals of the Honourable House of Commons the last Sessions, that that Clothing which is already made in *England*, cannot be Vented for want of Foreign Commerce: To what End or Purpose then do we pretend to Employ the Poor, when we have no Market to take it off from our Hands.

Ob. As touching the want of Vent for our Clothing in Foreign Markets, I do suppose doth proceed from the Reasons following. That

That the last Sessions (as I think) of Parliament, a Survey was presented to the Honourable House of Commons, whereby it evidently appeared, that Thirty thousand Packs of Wooll had been actually Landed in three Ports, in *France* in one year; by which there was lost to His then Majesty, Seventy five thousand Pound in his Customs of the same Wooll, (according to a modest Computation taken) being sufficient to have Employed in the Manufacturing thereof, during the said Year, One million Eight hundred, and Eighty nine thousand, Nine hundred and forty People, and double such Numbers in the Manufacturing thereof into Stockings.

And it is generally believed that our Wooll, with the Wooll of *Scotland* and *Ireland*: Which is Annually transported to, and Manufactured in foreign Parts; may double the above-said number of Packs. How great then is the Loss that *England* sustains, by suffering our Trade to be carried away by foreign Nations, to the Enriching of them, and Impoverishing of us; and how sad and deplorable is the Case of the Poor of this Nation; who are every where become burthensome to the Parishes where they inhabit, many Thousands of them wandring up and down for Relief; being ready to Starve, all whom, and many Thousands more, if the Carrying away, and Exporting of our Wooll, and Fulling Earth were supprest and prevented; and Men were encouraged by being Employed in the Woollen Manufactory might be provided for, and then the foreign Manufacturies would decline and vanish, and our Woollen Trade once so Glorious, would be revived and restored, and Foreigners and Strangers from remote Parts; must be obliged to come to our own Markets, with the Product of their own respective Countries; and Barter or Exchange the same with us for Woollen Cloth.

They that rightly considers the Quantity and Quality of our *English* Wooll, will undoubtedly acquiesce in the Opinion of our Ancestors, who termed it: The Flower of the Crown; The Dowry of the Nation, The Chief Revenues of the Kings and Queens, The Gold of *Ophir*, and in Commemoration of the great Esteem that they had and have for this Commodity (being the most Excellent in all the World) our great Senators to this Day sit upon Packs of Wool in the House of Lords.

It affects all Conditions of People, from the Queen to the Noblest Peer and meanest Peasant.

The

The Quantity of our Wooll is so exceedingly Comprehensive, that were it secured to our selves (as undoubtedly it ought to be) and industriously managed in its full Manufacture, and Exported by an *English* Merchandize and Navigation, it would Employ thousands of People; and Encrease Her Majesties Customs, and we should become the Glory of the World, and bring the Ballance of the Woollen Trade on our Side.

It's Quality is more Excellent, God, and Nature has herein seemingly ordered a suitable Accommodation to all Ranks and Degrees of People, in the different Goodness of several Counties Wooll, which is capable of being improved to any use, for the Benefit and Ornament of the Body, in a great Variety of Fancy and true Merit, from the thickest Drab to the thinnest Crape, branching it self into the various Occasions, which produce a wonderful Variety of Manufactures, suitable to all Seasons of the year at home, and the more different Climates abroad.

By this Excellent Commodity, we are able to out-doe our Neighbours in all Merchandizes abroad. In what Esteem have our *English* Factories lived in, in former times; at *Hamborough* in *Flanders*, in *Holland* and *Dantzick*, and what Estates have been brought home to *England*? And how are we now declined? Near expiring at *Hamborough*, quite extinct in *Flanders*, and very few *English* Merchants in *Holland* or *Dantzick*, that reap any Benefit by our Golden Fleece, and no great Number at home; and I am induced to believe, that the late growth of *France* has been chiefly owing to the Advantages they have gained these Five and thirty years last past, by our *English* Wooll.

For it is to be particularly observed, that one Pack of our *English* Wooll works up two of the *French* Wooll.

To illustrate this Matter, I will compute (with all possible Exactness) the Loss to our Nation by one Pack of our finest Wooll, Exported into *France*, large Quantities of which has been Kemb'd at *Canterbury* and other Places, and then carried into *France* and *Holland*, by which we may make an Estimate of our whole Loss in its due Proportion.

One Pack containing twelve Score of our finest
Kemb'd Wooll, I compute to be Worth at this
time

The Spinning of this into the finest Worsted,
Cost five Shillings *per* pound.

This Pack, so knit, will make Eighty Dozen of
Hose, which Pay for Custom 7 *per* Dozen.

Four Ounces of this Worsted thus Spun, will
make a Pair of Hose worth five Shillings the
Knitting.

The Dying of these Hose, partly with Mate-
rials of our own Growth; the Custom of Foreign
Dy-Stuffs to the Queen, and the Freight is a con-
siderable Article of Value, though Difficult to
Fix at a certain Sum :

And *France* hath had but little less Advantage in our Courser
Wooll, being inabled by one Pack of ours, to work up two
of their own, into Manufactures of a better Quality.

The Employment to their People, and Loss to ours, which
is very considerable in so great a Quantity of Wooll, accord-
ing to the Account already mention'd, which I take to be, but
one half of our Loss.

For it is evident, as the *French* encreas'd in their Wollen Manu-
factures at home, they prevailed in their Merchandizes and Facto-
ries abroad, particularly in *Spain*, which hath been the most gain-
ful Trade, and by this means got themselves into a Fabrick of
Spanish Cloth, which has very much impeded our Commerce,
in the *Mediterranean* thereby.

Although *Spanish* Woolls are as Free, for their Money as
they are for ours; yet were they Confin'd to the Linens of
their own Nation, or any other Product of *France*; to pro-
cure them their Merchants in *Spain*, would make no great Fi-
gure in their Sortments.

The long Wooll of *England* and *Ireland*, in its Variety of
Bays, *Perpetuana's* Stockins use, which is no way to be equall'd,
in any other part of the World: (and so agreeable to the
Spaniards, &c. and the *West Indies*, is certainly the Master-
wheel of the *Spanish* Trade; and we are capable of securing
this Advantage to our Selves, which would exceedingly lessen
the Interest of our Competitors in Trade.

If

If the Riches of *England*, may be said to be particular in any one thing, I should readily assign it to the excellent Staple of our Combing Wooll, which I think is sufficiently manifested by the great Advantages that the *French* and *Hollanders* do daily reap by it.

And here I cannot but mention one Particular, by which (in my Opinion) *France*, hath had a great Benefit by our Wooll, by our own Act and Deed.

For after the Restauration of King *Charles* the Second, the Islands of *Jersey*, *Guernsey*, *Alderney* and *Sark*, were allowed Three thousand, three Hundred Todds of *English* Wooll, each Todd thirty two Pounds.

In the beginning of the Reign of his Late Majesty King *William*, those Islands were allowed by Act of Parliament, Three thousand, three Hundred Todds more; and a Liberty given by the same Act to the *French*, *Dutch*, *Flanders*, *Hamburgers*, *Germans*, *Danes*, *Sweeds*, &c. to Export our Woollen Manufactures to their Native Countries upon equal Terms, with our *English* Subjects; and how these new Sett of Merchants fell into Exporting our Wooll, and Smuggling of Goods, is pretty well known.

These Injuries in Trade is certainly *Felo de se*, in our selves: And it will be very Difficult to prevent this Practice as our Affairs now stand, having scarce *English* Merchants enough abroad to give Notice of the Landing of our Wooll on that side.

This six Thousand six Hundred Todds of Wooll, allowed to those Islands, doth chiefly consist of Combing-Wooll for Worsted Hose, a valuable and useful Commodity at all Foreign Markets, and the Amount of the Workmanship may be easily cast up by the aforesaid Calculation, provided there be no greater quantity Exported, which is very much doubted.

How Commodious these Islands are in their Scituation for *France*, to reap the Benefit of their Labour: I need only mention the Inhabitants (consisting of many *French*,) and they live very Cheap and work accordingly, at about half the Price we may Pay in many places in *England*.

They enjoy the Benefit of the Draw-back of the Customs of our *West India* Goods, and Pay not the least Tax to *England*, what Stockins are brought into *England*, and Exported again, by the Carriage and Custom paid to the Queen, may be ren-

dred four or five *per Cent.* Cheaper to the *French*; the reason upon which this is grounded, I can't perceive.

To alledge that any part of the Creation is left insufficient for its own Subsistence and Preservation, must be a Reflection upon Divine Providence, and that all parts of the World should be upon an equal Foot, in obtaining this Subsistence, seems contrary to the Design of the great Creator. *St. Paul* valued himself in being a Free-born *Roman*.

These Islands have Wooll of their own growth, and doubtless must be very fair for Fishing, and by that means may be Subservient to *England*, as we now serve them: Which Practice will strengthen their Islands, in Shipping and Seamen for their Preservation; and what is got out of the Sea will be clear Gain.

The Loss of our Trade to *Turkey*, from whence (till of late years) we in lieu of our Woollen Cloth sent thither, had great returns of Raw Silk, the Product of that Countrey, which in the Weaving thereof, and in many Employments thereupon depending, supported Multitudes of Poor, not only of Men, but also of Women and Children.

The Loss of our Trade to *Russia*, formerly so Beneficial to *England*, from Whence, in lieu of our Woollen Cloth, we had great Returns of Pot-Ashes, Bees-Wax, Slod, and many other Wares and Commodities, generally known amongst Tradesmen.

The Transporting from *Scotland* *Lincolnshire*, and *Norfolk* great Quantities of our Wooll into *Swedenland*, where the same hath been Manufactured into Cloth, from whence and other foreign Parts; the *Persians* are now, (for the most part) supplied, to the great Decay of our Trade to *Turkey*.

The suffering great Quantities of our Wooll to be carried into *Scotland*, from whence the same with a great part of their own Growth is Ship'd off, and transported to *France* and other foreign Parts; and there wrought up into Cloth: The four Manufacturies lately Established in *Scotland*, by Vertue of an Act of Parliament there made, being but mere Cyphers, and serving only as Blinds or Disguizes, to keep us from the Know'edge of such their Transportations.

The suffering of our Wooll to be privily carried on Board of Ships and other Vessels, in which some small quantity of *Turkey* and *Barbary* Wooll are hither Imported, which Importation

tation can be for no other End or Purpose, than to cover or Conceal the Transportation of Wooll into foreign Parts, since that the said Wooll so Imported thither, is of little Value, and in respect of the Freight and Duty of Importation, of no Benefit to the Merchants; and for that the Persons Importing the same are liable to no other Scrutiny, than to the making Oath at the Custom-house of *London*, That their Wooll on Board is foreign Growth.

The suffering our Wooll to be Ship'd off, and conveyed from one Port to another, here in *England*, under Colour or Pretence of the better Conveniency of Carriage thereof; by which means great quantities of our Wooll, are frequently transported into foreign Parts, and many other Frauds and Corruptions contrived and committed, to the Violation of our Laws, and to the Dishonour and Interest of Her Majesty, and the Nation; and also to the great Detriment of the Farmer or Husbandman, in respect of Land-Carriage.

The suffering more Todds of Wooll to be Exported to *Jersey* and *Guernsey*, &c. than are limited by Law, and more than are to be there Manufactured.

It being well known, That there is a necessity of Exporting into those Islands no more Todds, than what are limited by the Act of Parliament, of the Twelfth of King *Charles* the Second.

The suffering great Quantities of our Wooll to be transported from *Ireland* into foreign Parts; especially into *France*, whither the same passeth free.

The Neglect of Service, in the eight Sloops Established by Act of Parliament, which have as yet made no Seizures, or done any thing to prevent the Exportation of our Wooll.

The Discouragements that has been given by some Justices of the Peace, to the Wooll Officers, or Agents, in or about the Discharge and Execution of their Duty, to suppress the Exportation of Wooll, and Fullers-Earth, &c. and by the said Justices Countenancing, or rather Aiding, or Abetting, many notorious Offenders that have been, and are the Contrivers and Promoters of transporting great Quantities of our Wooll into foreign Parts.

Through the want of a Fund, or Stock of Money to be applied or appropriated, for the Subsistence of the Wooll-Officers, or Agents, and for Encouraging their many Informations,

which they have actually Exhibited in the Exchequer against Offenders, touching Seizures, and Rescuing of Seizures, and several other notorious Crimes and Offences, done and committed in divers Places of *England*; but more especially about the Borders of *Scotland*, *Lincolnshire* and *Norfolk*, the said Wooll Officers or Agents, having hitherto Acted at their own particular Charge, and have thereby exhausted their own Substance, by means whereof they are now rendred incapable, and unable to proceed in the Prosecuting of their said Informations.

The Neglect of the (Fishery) and the Reasons aforementioned, relating to the Woollen Manufactory, are the Causes of the Decay of our Trade, and the Increase of the Poor of this Nation.

But to Return back to the intended Care of the Poor, by Erecting Work-Houses.

We will suppose the Vagrants and the Poor, that receives Alms, are provided for, by our Pious Undertakers for Employing the Poor.

But what must become of those poor Souls that receive no Alms, nor are not deemed Vagrants, which are supposed to be double the number of them both; some Starving at home in Private, and others that go Crawling about the Streets, like so many Snails for want of Employ, or Work, and without a Perspective Glass, you may read Poverty in their Faces, Leanness of their Bodies, wretched Apparel, and poor Souls gradually Starve.

Further, there is no Provision made for the poor Artists, Handy-Crafts Men, and Shop-keepers, who all complain for want of Work, and want of Business.

And also for the poor Sea-faring Men, and Mariners in time of Peace, that daily Perish, those that stay at home for want of Voyages to Employ them, and a great many as I have been informed, have been forced to go into foreign Service, which undoubtedly must be a Great Prejudice to the Nation.

And I am induced to believe, there is no other way to retrieve our lost Trade, and to redress the Grievances of the Nation, but by Regaining and Establishing the Fishery, and reviving the Woollen Manufactory of *England*. *And*

*And in Order to Regain our Woollen Trade; Humbly lay down
some Proposals.*

1. That for the Security of this Nation, a few general Riding Surveyers, with a competent Number of Officers under them, be Commissionated and Empowered, in all convenient Places to hinder and prevent the Exportation of our Wooll, and Fullers-Earth.

2. That in *England* no Wooll be permitted (under any Colour or Pretence whatsoever) to be carried in any Ship or Vessel down any Navigable River, within fifteen Miles of the Sea, unless from the several Islands belonging to *England*, to the main Land thereof, for the Benefit of the Woollen Manufacturies, and that for the Prevention of such Water-Carriages, a sufficient number of Shallops, or other proper Vessels, be provided for the Officers, or their Agents to guard the Navigable Rivers, and to search into Creeks; the effecting of which, will not be one quarter part the Charge the Crown hath hitherto been unnecessarily put to, in the maintaining of the Frigots, and Sloops, Established by Act of Parliament, made in the 7th. and 8th. Year of his Late Majesty King *William's* Reign, and set out in pursuance thereof by the Admiralty, touching the Services of which said Sloops and Frigats (as it appears by an Account taken in *January*, 1698. by a Committee of the Honourable House of Commons) sixteen Packs of Wooll only had been occasionally stop'd by one of the said Frigats, which fell into the hands of the Officers of the Customs.

Obser. And for the Wages, Victuals, Wear and Tear of the said Frigats and Sloops, for one Year (Exclusive from the Charge of the Officers of Ordnance) it cost His late Majesty twenty three Thousand and nine Hundred and twenty pounds.

3. That for *Ireland*, two general Riding Surveyers, and a sufficient number of Wooll Officers, or Agents under them, be Commissionated and Empowred, for preventing the Exportation of Wooll into foreign Parts, and that one Fifth Rate Frigat, and two of the Sloops Established by Act of Parliament,

ment, for preventing such Exportation, may be ordered and required to Obey the Directions of the said general Riding Surveyers, which is conceived to be of greater Importance and more Service, than twenty Sloops in Cruizing.

4. That a small Tax be Charged on Wooll, and Commissioners (particularly appointed by Act of Parliament) to be entrusted with the Money to be raised by such a Tax, for Payment of Salleries to the said Surveyers and Officers, and for the Prosecuting and Carrying on, as well of the said Informations already Exhibited against Offenders, as against all other Offenders for the future, and for all other incident and necessary Charges.

5. That for and towards the reviving, and restoring Trade amongst our Selves, and regulating the Exportation of our Wooll, a Registry be kept in every Town and Parish, for ascertaining the number of Sheep to be there kept and Depastured, and of the Quantities of Wooll to be there Shorn or Clip'd; and that such other Expedient Remedies to be used for the Preservation of our Fullers Earth, &c. and for the hindring the Exportation of our white Woollen Cloth, which shall be rough or undy'd, may be made, and settled, as shall be resolved upon in Parliament.

To confirm what I have said of the Woollen Manufacture, I have inserted Sir *Walter Raleigh's* Observations touching Trade, and Commerce with the *Hollander* and other Nations: Proving that our Sea and Land Commodities, Enrich and Strengthen other Countries against our own; which he Humbly presented to His Majesty King *James* the First (and expresseth himself in these Words) *Anno. 1618.*

May it Please Your Majesty to consider these Points following:

1. Whether it be not convenient, That a State Merchant be settled within Your Dominions, which may both dispose more profitably of the Riches thereof, and encounter Policies of Merchant

chant Strangers, who now go beyond us in all kind of profitable Merchandizing.?

Obs. This State Merchant, as Sir *Walter Raleigh* terms it; I do Conjecture to be that, which is now called, Her Majesties *Council of Trade*.

2. Whether it be not necessary, That your Native Commodities, should receive their full Manufactory by your Subjects within your own Dominions?

3. Whether it be not fit, That the Coals should yield Your Majesty and Subjects a better Value, by permitting them to pass out of the Nation, and that they be in your Subjects Shipping only Transported?

If it Please Your Majesty, to approve of these Considerations, and accordingly put them in a right Course of Execution, I assure my Self, by God's Help, in a short time, Your Majesty's Customs, and continual coming of Treasure into your Coffers, will be exceedingly Encreased; your Ships and Mariners Trebled; your Land, and waist Sea-Port Towns, and Villages adjacent, that are now Ruin'd, will be rebuilt, and your Subjects Employ'd, to the great Enriching of your Kingdom, with great Applause; and to the Comfort of your Loyal Subjects.

So far Sir Walter Raleigh.

And with Humble Submission, I hope Her present Majesty will be pleas'd to take these Points into Consideration, in regard they never can be out of Date: They tending so much to Her Glory, Honour, Safety, Wealth and Prosperity of Her Dominions, both at home and abroad.

In fine, the Loss of our Fishing, and Woollen Manufacture is unaccountable, and much to be Lamented.

And I know no such Instance of Generosity, to give away that to Foreigners and Strangers, which God and Nature hath made our Birth-Right; whilst multitudes of the People of *England*, have wanted Employ at home, who are under many heavy Taxes.

We may learn better of our rich Neighbours the *Hollanders*, who are said to burn great Quantities of Spices in the *East Indies*, that we may pay them the better Price, which we do at this time with a Witness.

And as Affairs now stand, it highly Concerns us to secure our Fishery, and Wooll; for we can Promise to our selves at this Juncture no advantageous Settlement of Trade, but by an effectual Cure of these two Evils, to the Effecting of which, whatsoever is Expended will be brought in again to the Queen in Her Customs, with a Hundred fold Advantage to the Nation.

I shall conclude with this Expression.

To find out the the Causes of things, is said to be a Work of Philosophy: To find out a fit Remedy is of high Eminency; But to apply the Remedy, is a Matter of State-Policy.



F I N I S.

